

Law  
J  
11  
R5  
copy 2

# Congressional Record

## SEVENTY-SECOND CONGRESS, SECOND SESSION

### SENATE

MONDAY, FEBRUARY 6, 1933

(Legislative day of Tuesday, January 10, 1933)

The Senate met at 11.30 o'clock a. m., on the expiration of the recess.

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks, announced that the House had passed a bill (H. R. 14562) making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1934, and for other purposes, in which it requested the concurrence of the Senate.

#### THE JOURNAL

Mr. FESS. Mr. President, I ask unanimous consent for the approval of the Journal of February 3 and 4, 1933.

The VICE PRESIDENT. Without objection, that order will be made.

#### HOUSE BILL REFERRED

The bill (H. R. 14562) making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1934, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

#### CALL OF THE ROLL

Mr. FESS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Ashurst	Couzens	Keyes	Schuyler
Austin	Cutting	King	Sheppard
Bailey	Dale	La Follette	Shipstead
Bankhead	Davis	Lewis	Shortridge
Barbour	Dickinson	Logan	Smoot
Barkley	Dill	McGill	Steiwer
Bingham	Fess	McKellar	Swanson
Black	Fletcher	McNary	Thomas, Idaho
Blaine	Frazier	Metcalf	Townsend
Borah	George	Moses	Trammell
Bratton	Goldsborough	Neely	Tydings
Brookhart	Gore	Norbeck	Vandenberg
Bulkley	Grammer	Norris	Wagner
Bulow	Hale	Nye	Walcott
Byrnes	Harrison	Oddie	Walsh, Mass.
Capper	Hastings	Pittman	Walsh, Mont.
Caraway	Hatfield	Reed	Watson
Clark	Hayden	Reynolds	Wheeler
Connally	Hull	Robinson, Ark.	White
Coolidge	Johnson	Robinson, Ind.	
Copeland	Kean	Russell	
Costigan	Kendrick	Schall	

The VICE PRESIDENT. Eighty-five Senators have answered to their names. A quorum is present.

#### SENATOR FROM MISSOURI

Mr. ROBINSON of Arkansas. Mr. President, the Senator from Missouri [Mr. CLARK] took the oath of office a day or two ago by unanimous consent of the Senate. At the time that action was taken it was announced by the Governor of Missouri that Mr. CLARK had been appointed to fill the unexpired term occasioned by the resignation of Mr. Hawes, and it was stated that the credentials were in the mail.

I now present the credentials, and ask that they be filed and made of record.

The VICE PRESIDENT. Let them be read.

The credentials were read and ordered to be placed on file, as follows:

EXECUTIVE OFFICE,  
STATE OF MISSOURI,  
Jefferson City, February 3, 1933.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that, pursuant to the power vested in me by the Constitution of the United States and the laws of the State of Missouri, I, Guy B. Park, the governor of said State, do hereby appoint BENNETT C. CLARK a Senator from said State to fill the vacancy in the Senate of the United States caused by the resignation of Harry B. Hawes.

Witness: His excellency our Gov. Guy B. Park and our seal hereto affixed at Jefferson City, Mo., this 3d day of February, in the year of our Lord 1933.

[SEAL.]

GUY B. PARK, Governor.  
DWIGHT H. BROWN,  
Secretary of State.

#### COMMITTEE SERVICE

Mr. ROBINSON of Arkansas. Mr. President, on behalf of the minority I ask that the Senator from Oklahoma [Mr. GORE] be assigned to the Committee on Inter-oceanic Canals.

The VICE PRESIDENT. Without objection, that order will be made.

Mr. ROBINSON of Arkansas. I now request that the Senator from Missouri [Mr. CLARK] be assigned to the following committees: Commerce, Interstate Commerce, Territories and Insular Affairs, and Inter-oceanic Canals.

The VICE PRESIDENT. Without objection, that order will be made.

#### PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate the following joint resolution of the Legislature of the State of Wisconsin, which was referred to the Committee on Agriculture and Forestry:

Joint resolution relating to congressional action on agricultural relief

Whereas farm prices in December, collectively, were back to the low levels of June, after a slight upward swing in the summer and early fall, and in this month were only 52 per cent of the pre-war prices and from 15 to 25 per cent lower than farm prices a year ago; and

Whereas at such low prices it is utterly impossible for farmers to meet insurance, interest, and taxes, to say nothing of their entire cost of production; and

Whereas a continuation of these conditions will result not only in depriving the majority of farmers of their farms and their life savings but will make impossible any substantial improvement in general economic conditions and will operate to make the situation progressively worse, endangering the Government, and threatening the destruction of our entire social order: Therefore be it

Resolved by the assembly (the senate concurring), That the Legislature of Wisconsin hereby respectfully memorializes the Congress of the United States to adopt the following measures for agricultural relief:

(1) The farm allotment bill which has passed the House of Representatives and is now pending before the United States Senate.

(2) The Frazier bill, or some similar measure to refinance the farmers at a low rate of interest.

(3) To moderately increase the currency, with the end in view of relieving mortgagors and other debtors from having to repay, in terms of purchasing power, a great deal more than they borrowed.

Resolved, That properly attested copies of this resolution be sent to President Hoover, President-elect Roosevelt, both Houses of the Congress of the United States, and to each Representative and Senator from Wisconsin.

THOS. J. O'MALLEY,  
President of the Senate.  
R. A. COBBAN,  
Chief Clerk of the Senate.  
CORNELIUS YOUNG,  
Speaker of the Assembly.  
JOHN J. SLOCUM,  
Chief Clerk of the Assembly.

The VICE PRESIDENT also laid before the Senate the following joint resolution of the Legislature of the State of Wisconsin, which was ordered to lie on the table:

Joint resolution memorializing the Congress of the United States to propose an amendment to the Constitution repealing the eighteenth amendment and to promptly legalize the manufacture and sale of beer

Whereas both the Democratic and Republican national platforms of 1932 promised submission of an amendment to the Constitution of the United States repealing the eighteenth amendment, and it is within the power of Congress to modify the Volstead Act so as to legalize the manufacture and sale of beer even before the Constitution; and

Whereas such legislation would give employment directly to many thousands of workmen now unemployed and would benefit all legitimate industries, and thus prove a stimulus to the return of prosperity: Therefore be it

*Resolved by the assembly, the senate concurring,* That the Legislature of Wisconsin respectfully memorializes the Congress of the United States to promptly pass an amendment to the Constitution repealing the eighteenth amendment, and also to enact legislation modifying the Volstead Act to legalize the manufacture and sale of beer; be it further

*Resolved,* That properly attested copies of this resolution be sent to both Houses of the Congress of the United States and to each Wisconsin Member thereof.

THOS. J. O'MALLEY,  
President of the Senate.  
R. A. COBBAN,  
Chief Clerk of the Senate.  
CORNELIUS YOUNG,  
Speaker of the Assembly.  
JOHN J. SLOCUM,  
Chief Clerk of the Assembly.

Mr. ASHURST presented the following resolution of the House of Representatives of the Legislature of the State of Arizona, which was referred to the Committee on Banking and Currency:

#### House Resolution 2

HON. CARL HAYDEN, HENRY F. ASHURST, and LEWIS DOUGLAS,  
Members of Congress from the State of Arizona.

Whereas the United States Treasury Department has called for bids for the construction of post-office buildings in the cities of Yuma and Phoenix, Ariz., with alternate specifications of tufa stone or terra cotta for the facing of said buildings; and

Whereas tufa stone is produced and manufactured within the State of Arizona, giving employment to local labor; and no plants exist within the State for the manufacture or production of terra cotta: Therefore be it

*Resolved,* That the house of representatives of the eleventh legislature does express its desire to the Members of Congress from the State of Arizona that they use every assistance to procure the acceptance of bids upon the buildings aforesaid with the specification of tufa stone, that more employment may be provided for Arizona citizens.

Mr. GOLDSBOROUGH presented a resolution adopted by the Montgomery County (Md.) Chapter of the Woman's Christian Temperance Union, protesting against the repeal of the eighteenth amendment to the Constitution or the repeal or modification of the Volstead Act, which was ordered to lie on the table.

He also presented an open letter to Congress signed by Rev. Alvin T. Perkins, of the temperance committee, Methodist Episcopal churches, of the Cumberland district of Maryland and the Piedmont and Keyser districts of West Virginia, protesting against the passage of legislation to legalize the manufacture and sale of beer, and favoring the adoption of ways and means for the relief of the unemployed, which was ordered to lie on the table.

Mr. LA FOLLETTE presented a joint resolution of the Legislature of the State of Wisconsin, favoring the adoption by Congress of a resolution proposing an amendment to the Constitution repealing the eighteenth amendment thereto, and also to legalize the manufacture and sale of beer, which was ordered to lie on the table.

(See joint resolution printed in full when laid before the Senate to-day by the Vice President.)

Mr. LA FOLLETTE also presented a joint resolution of the Legislature of the State of Wisconsin, favoring the passage of the so-called farm allotment bill, the Frazier farm relief bill, and also "to moderately increase the currency with the end in view of relieving mortgagors and other debtors from having to repay, in terms of purchasing power, a great deal more than they borrowed," which was referred to the Committee on Agriculture and Forestry.

(See joint resolution printed in full when laid before the Senate to-day by the Vice President.)

Mr. COPELAND presented resolutions adopted by the Williamstown Local of the Dairymen's League Cooperative Association (Inc.), the Carroll Local, Chautauqua County, of the Dairymen's League Cooperative Association (Inc.), and the Progressive Local of the Dairymen's League, assembled in Onondaga County, all in the State of New York, favoring the passage of measures to inflate the gold currency so as to increase commodity prices, which were referred to the Committee on Banking and Currency.

He also presented a resolution adopted by grape growers of Ontario County, N. Y., protesting against the imposition of a tax on grape juice, which was referred to the Committee on Finance.

He also presented the petition of the Woman's Foreign Missionary Society of the States of New York and New Jersey, praying for the passage of legislation to regulate and supervise the motion-picture industry, which was ordered to lie on the table.

He also presented a resolution adopted by Arthur C. Mayer Post, No. 570, Veterans of Foreign Wars, of Brooklyn, N. Y., favoring the making of adequate appropriations for the benefit of war veterans, which was ordered to lie on the table.

He also presented the petition of Francis J. Tarry, jr., and sundry citizens, all of Oneida, N. Y., praying for the revaluation of the gold ounce, the decentralization of wealth, the elimination and curtailment of "mass-productionism abuses" and group banking, and the reorganization and abridgment of governmental bureaucracy, which was ordered to lie on the table.

He also presented a resolution adopted by the Woman's Christian Temperance Union of Middlesex, N. Y., protesting against the repeal of the eighteenth amendment to the Constitution or the repeal or modification of the national prohibition law, which was ordered to lie on the table.

He also presented the memorial of Rev. Claude E. Eldridge, pastor of the Seventh-Day Adventist Church, and members of the congregation, of Syracuse, N. Y., remonstrating against the repeal of the eighteenth amendment to the Constitution or the repeal or modification of the national prohibition law, which was ordered to lie on the table.

Mr. ODDIE presented the following joint resolution of the Legislature of the State of Nevada, which was referred to the Committee on Banking and Currency:

#### Senate Joint Resolution No. 8—Memorial to Congress

The Legislature of the State of Nevada hereby respectfully represents that—

Whereas owing to the suspension of 15 banks in the State of Nevada of a total of 26 doing business in this State, such closed banks holding as deposits the school money of the State and 12 out of 17 counties, approximately 700 teachers in Nevada are not being paid their salaries, and within the next few weeks or days several of our high schools and various other schools will have to close for want of funds: Now, therefore, be it

*Resolved by the Senate and Assembly of the State of Nevada,* That we earnestly beseech Congress to adopt the Oddie amendment to the reconstruction finance act whereby money can be loaned to schools;

*Resolved,* That the preceding paragraphs of this memorial be transmitted by air mail to the members of the Nevada delegation at Washington, the President of the United States Senate, and the Speaker of the House of Representatives.

W. F. DRESSLER,  
President pro tempore of the Senate.  
V. R. MERALDO,  
Secretary of the Senate.  
FRED S. ALWARD,  
Speaker of the Assembly.  
GEORGE BRODIGAN,  
Chief Clerk of the Assembly.

STATE OF NEVADA,  
EXECUTIVE DEPARTMENT.

Approved February 1, 1933, 2.55 p. m.

F. B. BALZAR, Governor.

INDORSEMENT OF GEORGE RUSSELL, JR., AS SECRETARY OF THE INTERIOR

Mr. ODDIE presented a joint resolution of the Legislature of the State of Nevada indorsing George Russell, jr., of Elko, Nev., for the position of Secretary of the Interior in



the incoming administration, which was referred to the Committee on Public Lands and Surveys, as follows:

Assembly joint resolution recommending the selection of George Russell, jr., of Nevada, for the position of the Secretary of the Interior.

Whereas the State of Nevada has a greater proportion of public land than any other State, and is therefore vitally interested in the administration of the Department of the Interior; and

Whereas we are naturally desirous of securing the selection of a Secretary of the Interior who will have an intimate knowledge of our conditions and of the West in general, in addition to other qualifications, such as ability, training, and experience, for handling intelligently and wisely the present and prospective problems confronting that member of the Cabinet; and

Whereas George Russell, jr., of Elko, Nev., has had an experience of more than 30 years in the very activities and character of business that has brought him in immediate contact with the more important problems concerning land and livestock conditions that would be an important item in the administration of the office of the Department of the Interior; and

Whereas said George Russell, jr., by reason of his peculiar fitness and his practical experience, has gained a far-reaching reputation of ability and integrity: Now, therefore, we, the Legislature of the State of Nevada, unqualifiedly indorse George Russell, jr., of Elko, Nev., for said appointment; and it is

*Resolved by the Senate and Assembly of the State of Nevada,* That George Russell, jr., of Elko, Nev., be, and he is recommended to the earnest consideration of President-elect Roosevelt as a competent and suitable person to be appointed as Secretary of the Interior of the United States; and it is further

*Resolved,* That copies of this resolution, under the seal of the State of Nevada, be transmitted to President-elect Roosevelt, to each of our Senators in the United States Senate, and to our Congressman elect.

MORLEY GRISWOLD,  
President of the Senate.  
V. R. MERRILDO,  
Secretary of the Senate.  
FRED S. ALWARD,  
Speaker of the Assembly.  
GEORGE BRODIGAN,  
Chief Clerk of the Assembly.  
STATE OF NEVADA,  
EXECUTIVE DEPARTMENT.

Approved February 2, 1933, 1.10 p. m.

F. B. BALZAR, Governor.

STATE OF NEVADA,

Department of State, ss:

I, W. G. Greathouse, the duly elected, qualified, and acting secretary of state of the State of Nevada, do hereby certify that the foregoing is a true, full, and correct copy of the original assembly Joint Resolution No. 7, now on file and of record in this office.

In witness whereof I have hereunto set my hand and affixed the great seal of state, at my office, in Carson City, Nev., this 2d day of February, A. D. 1933.

[SEAL.]

W. G. GREATHOUSE,  
Secretary of State.

#### INTERNATIONAL BOARD OF MONEY VALUE CONTROL

Mr. FLETCHER presented a communication relative to an international board of money value control, which was referred to the Committee on Banking and Currency and ordered to be printed in the RECORD, as follows:

#### AN INTERNATIONAL BOARD OF MONEY VALUE CONTROL

Communication and transportation facilities have become so simplified that all the countries of the world are now next-door neighbors. The prosperity of each depends upon the prosperity of all. No country can live successfully within itself in this advanced age. Our international business relations are now so entwined that it compels us to meet on common ground and work in unity for the benefit of all.

While many international problems have been successfully negotiated to the betterment of the world, yet we are now in serious distress, through the lack of a uniform and stable monetary system. Unstable money is disastrous to credit and business in general. Soaring prices create a speculative market and lead to hazardous gambling. Falling prices destroy credit and turn a legitimate profit in business into an overwhelming loss, and finally lead to world-wide depression.

The whole world is asking for a stable medium of exchange. It is not so much a question of which commodity we shall use as a standard of money value, as it is which commodity can be best controlled. Any commodity can be successfully used as a standard of money value if its market value can be controlled and held stable in comparison with the average price of commodities. The majority sentiment of the leading countries of the world seems to favor gold, owing to its value in comparison to its bulk.

Gold is a product of many countries, and is used in every country for some purpose. Therefore, to make it a successful and stable standard of money value, an international board of money value control should be created, with full authority over the marketing and distributing of the entire world supply and production.

The duty of this board should be to divert to the commercial market a sufficient supply of gold to hold its market value normal in comparison with the average price of commodities, and use the surplus above this amount for monetary purposes. This monetary gold should be allotted to the several countries for their respective reserves, each country receiving in proportion to its volume of business. This would make it necessary for each country to supplement its reserve with silver on a gold basis value.

During the last 18 years the average yearly world production of gold has been a trifle under \$400,000,000, and seven dollars out of every eight of this production has been used for monetary purposes. Using so much gold for monetary purposes has drawn too heavily upon the commercial market, thus leaving a shortage in the supply of gold for the manufactures and arts. Hence its value has been inflated in comparison with the average price of commodities. This shortage of gold on the commercial market has created a situation whereby it requires twice as much of the average commodity to purchase 23.22 grains of pure gold, or \$1, as it did in 1926.

This redistribution of gold would require the United States and France to exchange a portion of their gold, now held in reserve, for silver, on a gold-basis value. A sufficient amount of this monetary gold thus returned would be placed on the commercial market to deflate its market value to a point where it would raise the average price of commodities to the 1926 level. When this is accomplished it would be merely a question of keeping in balance the supply and demand of gold on the commercial market.

The purchasing power of every dollar that we create or issue, whether it be silver coin or paper currency, is based on the market value of 23.22 grains of pure gold. The market value of that 23.22 grains of pure gold is governed entirely by its supply and demand on the commercial market. Any gold stored in vaults, as monetary gold, reduces its supply on the commercial market, thus enhancing its value in comparison with the other commodities. Therefore, when gold is scarce on the commercial market, it takes a greater amount of average commodity to purchase a dollar, whether it be gold, silver coin, or paper currency. Issuing a greater number of paper dollars would not reduce their purchasing power, for each dollar is guaranteed by the Government to have the purchasing power of 23.22 grains of pure gold. Hence, to deflate the dollar, and thus raise commodity prices, we must reduce the value of gold on the commercial market.

The proposal submitted is as follows: When withdrawing gold from the commercial market for monetary purposes, a sufficient amount should be left on the commercial market to keep its supply and demand in balance with the average price of commodities, using silver bullion for any further necessary reserves.

Silver bullion, goods, or credits can be used to take care of trade balances. We are now looking forward to the time when reciprocal commercial relations will reduce trade balances to a minimum.

The suggestion that our dollar is dishonest is disputed by some of our legislators. An able Member of our Senate writes me as follows: "Many of us do not believe that there is anything dishonest about the dollar. It is just an economic condition that seems to be out of hand. The dollar now contains the same number of grains of gold as it did when everybody was complaining about the high cost of living. I do not know that there is anything I can do about it, except to continue to study the matter, in cooperation with my colleagues."

In reply we might say that there is the same number of pounds in a bushel of wheat as there has been for years, and the food value is the same, yet a farmer receives to-day less than half as many grains of gold, or money, its representative, as he received for a bushel of wheat in 1926. This honorable Member of the Senate states, as above, that he does not know that there is anything he can do about it. Let us look back and see what our Government, of which he is a part, has done in the past. Statistics tell us that since 1913 \$7 of gold out of every \$8 of the world production has been taken off the commercial market for monetary purposes and stored in the vaults, and that the United States Government has stored in its vaults \$4 of gold for every single dollar of gold that has been produced in this country since 1913. That is, our Government has drawn from the commercial market and stored in vaults four times as much gold as this country has produced during this time. This is evident proof that gold, or the gold dollar, has been artificially inflated in value by governmental action.

If any of our legislators are still in doubt as to what to do, let me suggest that they simply reverse the process which has brought about this condition and return to the commercial market enough of this gold from the vaults to deflate its commercial market value to the normal or 1926 level, and thereby make the dollar honest. An artificially inflated dollar, without question, is dishonest, for it robs the holder of commodities and unfairly enriches the holder of money, or its equivalent. In the last three years it has made millions homeless, without any fault of their own. It has driven thousands of our worthy citizens to distraction and many lives have been sacrificed. Had our Government done with wheat as it has done with gold and stored in vaults seven bushels out of every eight produced, no one would be eating wheat bread to-day but the wealthy, for wheat bread would be in the luxury class.

It is absolutely unnecessary for Congress to delay action. It could immediately sell a portion of the gold in the reserve to the world's dealers in precious metals and purchase silver to replace it. Even if it required half of the gold in the reserve to deflate its

market value to the desired level, it would certainly be much wiser to do this than to let our country slide over the brink into panic. No man knows to-day just how near we are to that brink.

C. W. McCORDIS.

St. Petersburg, Fla.

#### REPORTS OF COMMITTEES

Mr. REED, from the Committee on Appropriations (being an ex officio member thereof), to which was referred the bill (H. R. 14199) making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1934, and for other purposes, reported it with amendments and submitted a report (No. 1155) thereon.

Mr. SMOOT, from the Committee on Finance, to which was referred the bill (H. R. 14416) to make the Federal gasoline tax effective until June 30, 1934, reported it with an amendment and submitted a report (No. 1156) thereon.

#### BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred, as follows:

By Mr. WAGNER:

A bill (S. 5584) to amend section 4 of the United States grain standards act of 1916 as relating to the use of the official grain standards of the United States on grain moved in interstate commerce from shipping points to destination points without official grade determination; to the Committee on Agriculture and Forestry.

A bill (S. 5585) to amend an act entitled "An act granting the consent of Congress to the State of New York to construct, maintain, and operate a highway bridge across the Hudson River at or near Catskill, Greene County, N. Y.," approved June 5, 1930, as supplemented by the act of April 15, 1932; to the Committee on Commerce.

By Mr. CLARK:

A bill (S. 5586) to amend the act of January 22, 1932 (Public Law No. 2, 72d Cong.) creating the Reconstruction Finance Corporation; to the Committee on Banking and Currency.

By Mr. NYE:

A bill (S. 5587) providing for certain loans by the Reconstruction Finance Corporation to producers of wheat and cotton, and for other purposes; to the Committee on Banking and Currency.

By Mr. KEYES:

A bill (S. 5588) authorizing the acceptance of title to sites for public-building projects subject to the reservation of ore and mineral rights; to the Committee on Public Buildings and Grounds.

By Mr. THOMAS of Idaho:

A bill (S. 5589) amending an act of February 4, 1931 (46 Stat. L. 1061-1063) entitled "An act authorizing the construction of the Michaud division of the Fort Hall Indian irrigation project, Idaho, an appropriation therefor, and the completion of the project, and for other purposes; to the Committee on Indian Affairs.

By Mr. JOHNSON:

A bill (S. 5590) granting an increase of pension to Mary E. Jasper (with accompanying papers); to the Committee on Pensions.

By Mr. HULL:

A bill (S. 5591) providing for loans or advances by the Reconstruction Finance Corporation for the purpose of securing the postponement of the foreclosure of farm mortgages for a period of two years, and for other purposes; to the Committee on Banking and Currency.

By Mr. SCHALL:

A bill (S. 5592) providing for payment of \$100 to each enrolled Chippewa Indian of the Red Lake Band of Minnesota from the timber funds standing to their credit in the Treasury of the United States; to the Committee on Indian Affairs.

#### AMENDMENT TO TREASURY AND POST OFFICE DEPARTMENTS APPROPRIATION BILL

Mr. BYRNES submitted an amendment authorizing the Court of Claims, "under such rules as it may prescribe, to impose a fee in an amount not in excess of \$10 to be fixed

by the court for the filing of any petition in any case instituted after the enactment of this act, and for the hearing of any case before the court, a judge, or a commissioner thereof, pending at the time of the enactment of this act," and also authorizing that court to charge and collect certain other fees, intended to be proposed by him to House bill 13520, the Treasury and Post Office Departments appropriation bill, which was ordered to lie on the table and to be printed.

#### AMENDMENTS TO LEGISLATIVE APPROPRIATION BILL

Mr. DILL submitted amendments intended to be proposed by him to House bill 14562, the legislative appropriation bill, which were referred to the Committee on Appropriations and ordered to be printed, as follows:

On page 5, line 15 (in the item for clerks to the Senate Committee on Interstate Commerce), after the figures "\$2,220," to insert "additional clerk, \$1,800," and on page 6, line 5 (in the item for clerks to the Senate Committee on Patents), after the figures "\$3,900," to strike out "assistant clerk, \$2,400" and insert "two assistant clerks at \$2,400 each."

#### DAISYE L. TRAMMELL

Mr. FLETCHER submitted the following resolution (S. Res. 347), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

*Resolved*, That the Secretary of the Senate hereby is authorized and directed to pay from the appropriation for miscellaneous items, fiscal year 1932, contingent fund of the Senate, to Daisye L. Trammell, widow of Lee R. Trammell, late clerk in the office of Senator PARK TRAMMELL, a sum equal to six months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

#### GENEVIEVE M. COLWELL

Mr. KENDRICK submitted the following resolution (S. Res. 348), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

*Resolved*, That the Secretary of the Senate hereby is authorized and directed to pay from the appropriation for miscellaneous items, fiscal year, 1932, contingent fund of the Senate, to Genevieve M. Colwell, widow of Eugene Colwell, late the assistant financial clerk of the Senate, a sum equal to one year's compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

#### TREASURY AND POST OFFICE APPROPRIATION

Mr. McNARY. Mr. President, on Saturday I announced that at the conclusion of the joint services to-day the Senate would return to its Chamber and continue the consideration of the unfinished business.

Inasmuch as we are not to leave here until 12 o'clock, I think it would be proper to go forward with the pending amendment.

The Senate resumed the consideration of the bill (H. R. 13520) making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1934, and for other purposes.

The VICE PRESIDENT. The first amendment was passed over temporarily; so, if satisfactory to the Senate, the clerk will state the next amendment. The present occupant of the chair understands there was some agreement with regard to the motion to reconsider.

Mr. BINGHAM. No, Mr. President. The agreement was to lay aside the pending amendment relating to the additional decrease in pay of 1% per cent, and to proceed to the next one of the economy provisions recommended by the committee, which is the suspension of annual leave.

Section 103 is continued without change by the House bill. The committee's recommendation continues such suspension.

Mr. JOHNSON. On what page is the amendment, please?

Mr. McKELLAR. Where does the Senator read from?

Mr. BINGHAM. It will be found on page 73, section 6.

The VICE PRESIDENT. The amendment will be stated.

The CHIEF CLERK. On page 73, after line 19, insert the following:

SEC. 6. (a) Section 103 of the legislative appropriation act, fiscal year 1933, shall be held applicable to the officers and employees of the Panama Canal and Panama Railroad Co. on the Isthmus of Panama, and to officers and employees of the United States (in-



cluding enlisted personnel) holding official station outside the continental United States, only to the extent of depriving each of them of one month's leave of absence with pay during each of the fiscal years ending June 30, 1933, and June 30, 1934.

Mr. BINGHAM. Mr. President, I desire to perfect that paragraph by adding, on line 20, after the words "section 103," the words "and 215".

The VICE PRESIDENT. The question is on the amendment to the amendment.

The amendment to the amendment was agreed to.

The VICE PRESIDENT. The Chair suggests that the word "section" should be made "sections." Without objection, that will be done.

Mr. BINGHAM. I thank the Chair.

The paragraph as amended was agreed to.

Mr. BINGHAM. The next amendment relates to absences from duty to be charged to furlough.

Mr. JOHNSON. Mr. President, will the Senator yield to a query?

Mr. BINGHAM. Certainly.

Mr. JOHNSON. As I follow what is being done now, the portion of the economy bill beginning at line 20, page 69, up to the amendment which has just been presented by the Senator beginning at line 20, page 73, has been passed over?

Mr. BINGHAM. It has been passed over; yes. The matter is taken up in the order in which it is printed in the report for purposes of clarity. At page 3 of the report the Senator will see this paragraph:

The committee recommendation in section 6 (b) inserts a new provision, applicable during the remainder of the fiscal year 1933 and during the fiscal year 1934, which makes certain that whenever an officer or employee who has not yet taken the full amount of his furlough is absent from duty such absence shall be considered a part of his furlough rather than an absence without pay in addition to absences attributable to furlough.

Mr. President, the original suggestion of the committee is on page 74 of the bill, lines 4 to 14; but on further consideration the committee believes that what we desire to do will be done better by the language which I send to the desk.

The VICE PRESIDENT. The clerk will read.

Mr. BINGHAM. May I say before it is read that the object of it is to make sure that there be no deduction of wages of substitutes in the Postal Service and other places where only a few days' work is provided during the course of the month.

The CHIEF CLERK. On page 74, the committee proposes to strike out the committee amendment in lines 4 to 14, both inclusive, and to insert the following:

During the fiscal year 1934 deductions on account of legislative furlough shall be made each month from the compensation of each officer or employee subject to the furlough provisions of title 1 of part 2 of the legislative appropriation act, fiscal year 1933, as continued by section 4 (a) of this act, at the rate of 8½ per cent per month regardless of the number of days of such furlough actually taken by such officer or employee in any month.

The VICE PRESIDENT. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. BINGHAM. Mr. President, the next section is "Application of reductions in compensation and retired pay to enlisted personnel."

Sections 104 and 106 of the economy act and the House bill continuing them excluded enlisted personnel of the Army, Navy, Marine Corps, and Coast Guard from the reductions in compensation and retired pay. The amendments contained in section 4 (a) (2) of the committee recommendations apply such reductions to such enlisted personnel, subject to the general \$1,000 exemption. The savings effected during the fiscal year 1934 by these reductions are estimated to be \$7,633,161, of which approximately \$5,500,000 is attributable to the reduction in active pay.

The amendment may be found on page 70, paragraph 2, lines 4 to 11.

Mr. JOHNSON. Mr. President, it was exactly because I wanted to ascertain if that particular matter had been eliminated or passed over temporarily that I made my inquiry a few moments ago of the Senator. Has the Senator

returned from dealing with section 6, pages 73 and 74, back to 70?

Mr. BINGHAM. Section 6 has now been passed, and we now deal with the next subject in the report, of which the language is found on page 70, section 2, lines 4 to 11.

Mr. JOHNSON. Mr. President, if the Senator will permit, it has been suggested to me that my confusion arises from the fact that I have been following the bill, while the Senator is following the report, which is not before me.

Mr. BINGHAM. On Saturday afternoon, in order to make it easier for Senators to follow the subject matter, since many of the provisions in the bill are rather complicated, we secured a unanimous-consent agreement that we would take them up in the way in which they are printed in the report.

Mr. JOHNSON. May I ask the Senator, because of the limited time, to pass this proposed amendment over until we come back from the duty that is ours to-day?

Mr. BINGHAM. I have no objection, Mr. President.

The VICE PRESIDENT. The amendment will be passed over.

Mr. BINGHAM. May I ask the Chair how much time we have left?

The VICE PRESIDENT. There are about nine minutes left.

Mr. BINGHAM. Mr. President, under the House bill, special-delivery messengers in the Postal Service are exempted from the definition of officers and employees in the economy act. The committee recommendation—section 4 (a) (3)—continues this exemption, but includes them within the pay-cut provisions and inserts a provision to the effect that the sum of \$400—in lieu of a vehicle allowance—shall not be included in their compensation for the purpose of ascertaining whether their compensation is at a rate in excess of \$1,000 and for the purpose of determining the rate of compensation upon which the reduction is to be based.

The VICE PRESIDENT. The amendment will be stated.

The CHIEF CLERK. On page 70, the committee proposes to insert, beginning in line 12, the following:

(3) Section 104 (a) is amended by striking out the period at the end thereof and inserting a semicolon and the following: "and (12) special-delivery messengers in the Postal Service"; and section 105 (d) (2) is amended by adding at the end thereof the following: "Special-delivery messengers in the Postal Service, but in the case of such messengers, the sum of \$400 shall not be included in the calculation of the rate of their compensation for the purposes of this title."

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. BINGHAM. The next subject deals with compensation reductions, and in view of the fact that we have passed over the 1½ per cent increase, I will ask that this amendment be passed over also, and that we proceed next to the question of inapplicability of reductions in the case of certain employees.

The VICE PRESIDENT. Without objection, that will be done.

Mr. BINGHAM. It will be found on page 73 of the bill.

Mr. BULKLEY. Mr. President, are we proceeding only with committee amendments now?

The VICE PRESIDENT. That is the order.

Mr. BINGHAM. The proposed amendment will be found on page 73. The House bill provided that sections 101 to 105 of the economy act should not apply to any employee unless his aggregate compensation exceeded \$83.33 per month, or to reduce his compensation below \$83.33 per month. The committee recommendation—section 5—makes certain that this provision applies during any month of the fiscal year 1933 remaining after the enactment of the act, as well as during the fiscal year 1934, and provides that there shall be no carry-over from month to month for the purposes of the provision.

Senators will remember that there was a good deal of protest about reductions in pay of the men shoveling the snow here in the city of Washington, under the interpretation of the act by the comptroller.

Mr. BORAH. The Senator is not following the bill in taking up the amendments?

Mr. BINGHAM. No, Mr. President. We are now considering the provision on page 73. We are following the report paragraph by paragraph. Unanimous consent was obtained to do that because in the bill so many sections refer to several paragraphs, so that we must take the matter up by subjects in order that Senators may follow intelligently what we are doing. We are now on page 4 of the report, the fourth paragraph, pertaining to inapplicability of reductions in the case of certain employees.

The VICE PRESIDENT. The amendment will be stated.

The amendment was, on page 73, line 6, where the committee proposed to insert a new section, as follows:

SEC. 5. Effective the first day of the month next following the passage of this act, in the application of Title I of Part II of the legislative appropriation act, fiscal year 1933, and section 4 of this act, in any case where the annual rate of compensation of any position is in excess of \$1,000, the provisions reducing compensation shall not operate to reduce the total amount paid for any month to any incumbent of any such position unless the total amount earned by such incumbent in such month exceeds \$83.33: *Provided*, That any such reduction made in any case where the total amount earned by any such incumbent in any month exceeds \$83.33 shall not operate to reduce the total amount to be paid to such incumbent for such month to less than \$83.33.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

#### MEMORIAL SERVICES IN THE HOUSE OF REPRESENTATIVES

The Senate, preceded by the secretary for the majority and the secretary for the minority, assistants of the Sergeant at Arms, the Secretary of the Senate, the Vice President, and the Chaplain of the Senate, proceeded to the Hall of the House of Representatives.

At 1 o'clock and 15 minutes p. m. the Senate returned to its Chamber, and the Vice President resumed the chair.

#### TREASURY AND POST OFFICE APPROPRIATIONS

The Senate resumed the consideration of the bill (H. R. 13520) making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1934, and for other purposes.

Mr. BINGHAM obtained the floor.

Mr. McNARY. Mr. President—

The VICE PRESIDENT. Does the Senator from Connecticut yield to the Senator from Oregon?

Mr. BINGHAM. I yield.

Mr. McNARY. I ask the Senator to yield in order that I may suggest the absence of a quorum.

Mr. BINGHAM. I yield.

Mr. McNARY. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Ashurst	Couzens	Keyes	Schuyler
Austin	Cutting	King	Sheppard
Bailey	Dale	La Follette	Shipstead
Bankhead	Davis	Lewis	Shortridge
Barbour	Dickinson	Logan	Smoot
Barkley	Dill	McGill	Steiner
Bingham	Fess	McKellar	Swanson
Black	Fletcher	McNary	Thomas, Idaho
Blaine	Frazier	Metcalf	Townsend
Borah	George	Moses	Trammell
Bratton	Goldsbrough	Neely	Tydings
Brookhart	Gore	Norbeck	Vandenberg
Bulkley	Grammer	Norris	Wagner
Bulow	Hale	Nye	Walcott
Byrnes	Harrison	Oddie	Walsh, Mass.
Capper	Hastings	Pittman	Walsh, Mont.
Caraway	Hatfield	Reed	Watson
Clark	Hayden	Reynolds	Wheeler
Connally	Hull	Robinson, Ark.	White
Coolidge	Johnson	Robinson, Ind.	
Copeland	Kean	Russell	
Costigan	Kendrick	Schall	

The PRESIDING OFFICER (Mr. Fess in the chair). Eighty-five Senators having answered to their names, a quorum is present.

Mr. BINGHAM. Mr. President, in accordance with the unanimous-consent agreement made before we left for the joint memorial services, I will now ask that the clerk state

the provision which the Senator from California [Mr. JOHN-SON] asked might be passed over, relating to application of reductions in compensation and retired pay to enlisted personnel of the Army, Navy, Marine Corps, and Coast Guard.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 70, after line 4, it is proposed to insert:

(2) Section 104 (b) and section 106 are amended by striking out "(except enlisted)"; section 104 (b) is amended by striking out "does not include the active or retired pay of the enlisted personnel of the Army, Navy, Marine Corps, or Coast Guard; and"; and section 105 (d) is amended by adding at the end thereof the following new paragraph:

"(8) The enlisted personnel of the Army, Navy, Marine Corps, and Coast Guard."

Mr. BINGHAM. Mr. President, I have already explained the proposal, but I will be glad to answer any questions.

Mr. BLAINE. Mr. President, may I address a parliamentary inquiry?

The PRESIDING OFFICER. The Senator will state it.

Mr. BLAINE. I do not recall the unanimous-consent agreement to which the Senator from Connecticut has referred. I have no objection to this amendment, but I do not know how all-inclusive that unanimous-consent agreement is.

Mr. BINGHAM. It is simply that the Senator from California asked that the matter might be passed over until after the memorial exercises had been concluded. That was agreed to by unanimous consent, and, instead of taking it up in the regular order, that amendment was passed over.

Mr. BLAINE. Let me make a further inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. BLAINE. That would change the unanimous-consent agreement to take up the various items in the order in which they are set forth in the report, as I understand?

Mr. BINGHAM. No; that agreement has not been changed. The items are to be considered in the order in which they are set forth in the report, except that when we came to the item on page 70, relating to reductions in compensation and retired pay of enlisted personnel, we passed that over at the request of the Senator from California and considered the next paragraph relating to special-delivery messengers.

Mr. McNARY. Mr. President, the provision now about to be considered by the Senate affects the Army in some fashion. The Senator from Pennsylvania [Mr. REED] was called down town on an important matter, and I told him if anything affecting the Army and Navy should come up that I would ask to have it go over during his absence. I make that request now of the Senator from Connecticut.

The PRESIDING OFFICER. Is there objection?

Mr. BINGHAM. Very well; I have no objection to passing it over again.

Mr. CONNALLY. Mr. President, reserving the right to object, did the Senator say that the Senator from Pennsylvania was out of the city?

Mr. McNARY. No; he has been called down town for a few moments and will return about 3 o'clock.

The PRESIDING OFFICER. Without objection, the paragraph is passed over.

Mr. BINGHAM. Mr. President, the next item in order is at the bottom of page 70, but, as it also refers to the Army, I will ask that that be passed over similarly.

The PRESIDING OFFICER. Without objection, the paragraph will be passed over.

Mr. BINGHAM. I ask unanimous consent that the Senate may consider the paragraph on page 71, lines 7 to 12, inclusive, which takes care of the situation regarding judges. I think members of the bar will realize that we discovered that under the economy act we had done considerable injustice to some of the Justices of the Supreme Court and some of the other judges.

The PRESIDING OFFICER. The amendment will be stated.



The CHIEF CLERK. On page 71, after line 6, it is proposed to insert:

(5) Section 106 is amended by striking out "except judges whose compensation may not, under the Constitution, be diminished during their continuance in office" and inserting in lieu thereof "except judges, whose compensation, prior to retirement or resignation, could not, under the Constitution, have been diminished."

Mr. CONNALLY. Mr. President—

The PRESIDING OFFICER. Does the Senator from Connecticut yield to the Senator from Texas?

Mr. BINGHAM. I yield.

Mr. CONNALLY. What is the effect of the change proposed?

Mr. BINGHAM. The effect of this change particularly relates to Justice Holmes of the Supreme Court, whose retired pay was cut in two. As a matter of fact, we can not retire the Justices of the Supreme Court. Therefore, it has been the custom when a Justice resigns, to continue his pay in full force; but as the economy bill was interpreted by the Attorney General, the salary of Justice Holmes was cut in two by Congress.

Mr. CONNALLY. Under what clause?

Mr. BINGHAM. Because the economy law provided that no salary in the case of a judge should be more than \$10,000.

Mr. CONNALLY. That the retired pay of any judge should not be more than that?

Mr. BINGHAM. We refer to it as "retired pay," but actually it cut his pay, which had been at the rate he was previously receiving of \$20,000 a year to \$10,000.

Mr. CONNALLY. I have no objection to the amendment, but I want to make an inquiry of the Senator. When this bill was before the Senate originally, it carried a clause inviting the judges whose pay could not be reduced voluntarily to return to the Treasury certain amounts. I protested against that provision at the time on the ground that it was an effort to do indirectly what we did not have a right to do under the Constitution. I want to inquire now how much money has been returned to the Treasury under that voluntary clause?

Mr. BINGHAM. Mr. President, if the Senator would not mind, we will reach that section in a few minutes. It is on page 5 of the report, in the middle of the page.

Mr. CONNALLY. I shall withhold it.

Mr. PITTMAN. Mr. President, do I understand that this amendment affects only the salary of Mr. Justice Holmes?

Mr. BINGHAM. And one or two of the judges whose pay, under the Constitution, may not be reduced. In a moment we will take up that amendment, on page 69.

Mr. BLAINE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. BLAINE. I desire to offer an amendment to the economy act including section 106. As I understand, if the amendment is not offered now, I will be excluded from offering it later on.

Mr. BINGHAM. As I understand, we have been taking up page 71, subsection (5). If the Senator desires to amend the committee proposal, this would be the proper time to do so. In order that the Senator may do so, I ask unanimous consent that the vote whereby section 5, on page 71, was agreed to may be reconsidered.

The PRESIDING OFFICER. Without objection, it will be reconsidered, and the Senator from Wisconsin may offer his amendment now.

Mr. BLAINE. Mr. President, I did not care to interfere with the amendment suggested by the Senator from Connecticut; but I desire to offer an amendment to that portion of the economy act that relates to section 106 of the legislative appropriation act for the fiscal year 1933.

I now offer that amendment.

Mr. BINGHAM. Does it relate to judges?

Mr. BLAINE. No; I would not care to insist that it applied to judges.

Mr. BINGHAM. Then the part of section 106 which the Senator desires to amend has been passed over pending the return of the Senator from Pennsylvania [Mr. REED].

Mr. BLAINE. That would include the Army and Navy and Marine Corps and Coast Guard and all the other officials mentioned in section 106?

Mr. BINGHAM. Yes. The paragraph which we have under consideration merely concerns the second and third lines of section 106:

Except judges whose compensation may not, under the Constitution, be diminished during their continuance in office.

Mr. BLAINE. The Senator proposes to strike that out?

Mr. BINGHAM. No, Mr. President. If the Senator will look on page 71, he will see that we propose to insert in lieu thereof:

Except judges, whose compensation, prior to retirement or resignation, could not, under the Constitution, have been diminished.

Mr. BLAINE. I can prepare my amendment to fit in with that suggestion when section 106 is under discussion.

Mr. BINGHAM. I will say to the Senator that we will take up section 106, so far as the rest of it is concerned, when the Senator from Pennsylvania returns.

The PRESIDING OFFICER. The question, then, is on subsection (5) on page 71.

The paragraph was agreed to.

Mr. BINGHAM. Mr. President, the next one is a similar provision connected with judges. It is on page 69, line 9, the words "(except subsection (a) thereof)," and line 7, "107 (except paragraph (5) of subsection (a) thereof)."

Mr. FLETCHER. Mr. President, I have the act before me; but this is quite an involved amendment. Will the Senator explain what that exception means? It will take some time to dig it out of the act. It refers to a number of subsections and paragraphs.

Mr. BLAINE. Will the Senator repeat the proposed amendment?

Mr. BINGHAM. The proposed amendment merely takes out of the economy act the salaries of judges whose compensation may not be reduced. In the economy act, section 107, paragraph (5) was continued by the House, and we have stricken out that provision. It is simply another technical amendment to carry out what I just explained in regard to the salaries of judges on the Federal bench.

Mr. BLAINE. That is subsection (5) of section 107 of the economy act?

Mr. BINGHAM. Yes, Mr. President.

The next paragraph deals with the Army and Navy, and under the agreement we will pass over that.

The PRESIDING OFFICER. Without objection, that paragraph will be passed over.

Mr. BINGHAM. The next paragraph provides for continuing without change sections 108, 109, and 112, providing for remittances from constitutional officers. That is the section to which the Senator from Texas [Mr. CONNALLY] made reference a few moments ago.

The PRESIDING OFFICER. On what page of the bill?

Mr. BINGHAM. It is on page 69 of the bill, line 8, and the figure is "109," which is the paragraph to which the Senator from Texas objected. It refers to giving permission to the Treasury to receive from officers whose salary under the Constitution may not be reduced the return of part of their salary.

Mr. CONNALLY. Mr. President, I desire to inquire of the Senator how many of the judges accepted the invitation to return money to the Treasury and how many ignored it, if he knows.

Mr. BINGHAM. We have no information in that regard. No request was made for any change. The House continued section 109. It merely permits them to cover into the Treasury any part of their compensation if they so desire.

Mr. CONNALLY. Section 109?

Mr. BINGHAM. Section 109 of the economy act.

Mr. CONNALLY. Let me say to the Senator that I am entirely in sympathy with all these methods of reducing expenditures and cutting salaries; but I suggested when this matter was before the Senate heretofore that the Constitution provides that the Congress may not reduce the com-

pensation of certain judges. There is a philosophy behind that provision—in other words, that the Congress ought not to have either a method of coercion or a method of punishment over the courts. If that be true, I was protesting against undertaking to do the same thing indirectly and bringing pressure to bear on the judges of the courts by holding over them the threat of the displeasure of Congress and the unpopularity of the courts among the people by saying to them, "While we have not the power to reduce your salary, we are going to invite you to do so; and if you do not do it, you will be held up to public scorn and obloquy."

I think it was an unwise provision; but in view of the adoption of it, I think the committee ought to furnish the Senate with some information as to how it has been received and whether we have gotten any money from that source.

Mr. BINGHAM. So far as I know, I will say to the Senator, no money has been received from that source.

Mr. CONNALLY. So far as the Senator knows? Why continue it, then?

Mr. BINGHAM. Does the Senator desire to have it stricken out?

Mr. FLETCHER. It will not do any harm. Let it stay.

Mr. CONNALLY. I shall not object if the committee sees fit to continue it; but I think it was an unwise provision in the first place, because it is seeking indirectly to do what the Constitution expressly forbids the Congress to do.

Mr. BINGHAM. The next change is in regard to the impounding appropriations. The House did not continue section 110 of the economy act, which related to impounding savings, because the savings now in existence in the economy act were taken care of in the Budget estimates; but since the committee has recommended additional savings, it seems necessary to insert an impounding provision, and that will be found on page 73 of the bill, which I will ask the clerk to read. It is at the top of the page, section (d).

The PRESIDING OFFICER. The paragraph will be read. The Chief Clerk read as follows:

(d) The appropriations or portions of appropriations unexpended by reason of the operation of the amendments made in subsection (a) of this section shall not be used for any purpose, but shall be impounded and returned to the Treasury.

The PRESIDING OFFICER. The question is on agreeing to the paragraph.

The paragraph was agreed to.

Mr. BINGHAM. The next section is on page 74, section 7.

The PRESIDING OFFICER. The section will be read.

The CHIEF CLERK. On page 4, beginning with line 15:

SEC. 7. The rate of pension or compensation of each person receiving pension or compensation at a rate in excess of \$1,000 per annum is hereby reduced by 10 per cent with respect to pension or compensation accruing for all or any part of the fiscal year ending June 30, 1934. Such reduction shall not operate to reduce any rate of pension or compensation to less than \$1,000 per annum. In computing the rate of pension or compensation per annum, any pension received by any person by virtue of the entry of his name on the Army and Navy medal of honor roll shall not be counted. When used in this section, the term "compensation" shall include military and naval compensation for death or disability payable under the war-risk insurance act, as amended, the World War veterans' act, 1924, as amended (U. S. C., title 38, ch. 10; Supp. V, title 38, ch. 10), or any special act of Congress authorizing payment of such compensation, and the annuities authorized by the acts approved May 23, 1908 (35 Stat. 1325), February 28, 1929, as amended (45 Stat. 1409; 47 Stat. 471), and January 31, 1931 (46 Stat. 1974). When used in this section the term "pension" shall include any amount payable to any person by virtue of being placed on the pension rolls of the Veterans' Administration pursuant to any act of Congress.

Mr. BINGHAM. Mr. President, I merely desire to call attention to the amount of saving and the number of persons affected. The committee is quite aware that it applies to cases that merit our sympathy and our very great interest. At the same time, the committee believes that in accordance with the policy that all persons receiving from the Government more than \$1,000 a year should accept a reduction in what they receive; the committee applies it also to beneficiaries affected by the Veterans' Administration, including a total of 73,629 persons, the amount of the saving being

\$8,570,932, in accordance with the estimate furnished us by the Administrator of Veterans' Affairs, as shown on page 6 of the report.

Mr. BROOKHART. Mr. President—

Mr. BINGHAM. I yield to the Senator from Iowa.

Mr. BROOKHART. The Senator from Indiana [Mr. ROBINSON] desires to be heard on this proposition. Can it be passed over for the present, or shall I suggest the absence of a quorum?

Mr. ODDIE. Mr. President, I opposed this amendment. I think we should have more Senators here before it is decided on.

Mr. BROOKHART. I suggest the absence of a quorum.

Mr. BINGHAM. Very well, Mr. President.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Ashurst	Couzens	Keyes	Schuyler
Austin	Cutting	King	Sheppard
Bailey	Dale	La Follette	Shipstead
Bankhead	Davis	Lewis	Shortridge
Barbour	Dickinson	Logan	Smoot
Barkley	Dill	McGill	Steiwer
Bingham	Fess	McKellar	Swanson
Black	Fletcher	McNary	Thomas, Idaho
Blaine	Frazier	Metcalf	Townsend
Borah	George	Moses	Trammell
Bratton	Goldsborough	Neely	Tydings
Brookhart	Gore	Norbeck	Vandenberg
Bulkeley	Grammer	Norris	Wagner
Bulow	Hale	Nye	Walcott
Byrnes	Harrison	Oddie	Walsh, Mass.
Capper	Hastings	Pittman	Walsh, Mont.
Caraway	Hatfield	Reed	Watson
Clark	Hayden	Reynolds	Wheeler
Connally	Hebert	Robinson, Ark.	White
Coolidge	Johnson	Robinson, Ind.	
Copeland	Kean	Russell	
Costigan	Kendrick	Schall	

The PRESIDING OFFICER. Eighty-five Senators having answered to their names, there is a quorum present.

Mr. BROOKHART obtained the floor.

Mr. BINGHAM. Mr. President, I ask unanimous consent that when the Senate concludes its business this evening, it take a recess until 12 o'clock to-morrow.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. BINGHAM. May I say at this time, since there have been a number of questions in regard to it, that I hope the Senate will be willing to stay in session on this bill until 6 o'clock this evening and will be willing to finish the bill to-morrow, even though it shall require a night session.

Mr. ROBINSON of Indiana. Mr. President—

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Indiana?

Mr. BROOKHART. I yield.

Mr. ROBINSON of Indiana. I was going to suggest to the Senator from Connecticut that the amendment to this section of the bill being very important, I think that in justice to the disabled veterans this part of the measure ought to go over until we can secure a better attendance in the Senate. I feel certain that it is of sufficient importance to justify a full attendance of the Senate. Therefore, I suggest that we pass this amendment over. I propose to move to amend by striking out the entire section, and I am willing to make the motion now, if it is necessary, but I would like to have the discussion go over for a little while.

Mr. McKELLAR. Mr. President, will the Senator from Iowa yield to me?

Mr. BROOKHART. I yield.

Mr. McKELLAR. I hope no agreement will be made either to adjourn at 6 o'clock or at any other time until the pending bill shall have been passed. We have been considering the bill for quite a while, and it ought to be passed. This is really the first of the appropriation bills, and there are 10 more of them, I believe, including another deficiency bill. It is true we have passed one deficiency bill, appropriating about \$3,000,000, but that is all. The consideration of the pending bill should be concluded, and concluded as soon as possible, and I hope the Senator from Connecticut will keep the Senate here until we pass the bill



to-night. I think that ought to be done, and I think it can be done.

Mr. ROBINSON of Indiana. Mr. President, that is entirely agreeable to me; I have no objection to any procedure of that kind. I do not want to delay the consideration of the bill at all, but I do know that there are a number of Senators on the other side of the Chamber who are anxious to be heard in the discussion of this particular amendment.

Mr. McKELLAR. I think they all ought to have an opportunity to be heard, but we ought to get through with this bill.

Mr. ROBINSON of Indiana. The disabled veterans are interested in this section of the bill.

Mr. BROOKHART. Mr. President, answering the Senator from Tennessee, I will say that the appropriations part of the pending bill has already been considered and passed on, but we are now considering a lot of general legislation, matters brought in which ought not to be attached to this bill at all, and which must be given some consideration.

Mr. McKELLAR. Mr. President, of course they ought to have consideration, and I want the Senator and others to talk about them.

Mr. BROOKHART. I think section 7, which we have under consideration now, is an invasion of the province of the joint committee of the House and Senate to consider this kind of legislation, and I think the Senator from Tennessee agreed with me that was true. So it ought not to be brought into this bill.

The joint committee has been holding extensive hearings on this and kindred propositions. We just closed the hearings at 12 o'clock to-day, and are ready to begin work on our report. Then along comes this bill undermining all our work, taking the subject away from us and putting it in an appropriation bill where it does not belong anyway. So I think those having charge of the bill ought to consent to strike out the section now under consideration, and then we could proceed and conclude the consideration of the bill.

Mr. McKELLAR. Mr. President, if a majority of the Senate desires to strike it out, of course, it can be stricken out. I think we ought to vote on it; and if we do want to strike it out, it can be done.

Mr. BINGHAM. Mr. President, it just occurred to me that the provision of the amendment requiring the 10 per cent reduction really might be said to depend on some of the other provisions in the bill, for instance, as to whether we are to adopt the 1½ per cent provision or not, and therefore I ask that this may go over for the present.

The PRESIDING OFFICER. Without objection, the particular amendment under consideration will be passed over.

Mr. NORRIS. Mr. President, I inquire of the Chair what page we are now considering?

The PRESIDING OFFICER. Page 74.

Mr. NORRIS. I have an amendment I want to offer on page 84; but, as I understand it, the amendment would not be in order at the present time.

The PRESIDING OFFICER. It would not be in order now.

Mr. NORRIS. I would like to say at this time that on account of the reference of the Sergeant at Arms affair to the Committee on the Judiciary, I have been unable to be in the Senate this morning, and I will probably be unable to be here the balance of the afternoon on account of some investigation I will necessarily have to make. I would not like to be absent on business of the Senate and have this page reached and passed on, and then be precluded from offering an amendment.

Mr. BINGHAM. Mr. President, I assure the Senator I will do my best to protect him, and if through fatigue I forget, I will ask unanimous consent that he be allowed to offer his amendment.

Mr. NORRIS. Very well.

Mr. COSTIGAN. Mr. President, in the event of the necessary or unexpected absence of myself when the Bratton amendment shall be reached, will the Senator also protect me?

Mr. BINGHAM. Certainly. The House bill continued for the fiscal year 1934 section 201, which prohibits automatic increases in compensation by reason of length of service or promotion. The committee recommends that this provision be not continued for the fiscal year 1934, and therefore, on page 69, the figures "201" have been omitted. No action is necessary to carry out the committee recommendation unless objection is made to the committee recommendation, when an amendment will be in order to insert the figures "201."

Mr. FRAZIER. Mr. President, I would like to have a little further explanation of this section 201 if the Senator from Connecticut is willing to give it.

Mr. BINGHAM. The Senator will realize that particularly in the Post Office Service there is a certain amount of automatic increase. Under the present economy law, section 201, there was a saving in the Post Office Department of \$1,140,755 due to the abandoning of the automatic promotions. The committee believe that that was an unnecessary hardship and, therefore, move that section 201 be not continued for another year. This will cause an additional expense to the Government in nearly all of the departments amounting to about \$4,000,000.

Mr. FRAZIER. Mr. President, a further inquiry. I would like to know what the difference would be in the Army and Navy Departments?

Mr. BINGHAM. In the Navy Department it is a little more than \$1,000,000 and in the War Department \$1,100,000.

Mr. FRAZIER. Something over \$2,000,000 all together.

Mr. BINGHAM. Yes.

The PRESIDING OFFICER. The Chair would like to state to the Senator from Connecticut that the clerks are having a little difficulty in locating the place in the bill to which the Senator is referring. What is the particular provision which the Senator is now discussing?

Mr. BINGHAM. There is no amendment on this subject. The committee left out of the House bill the continuance of paragraph 201 of the economy act.

The PRESIDING OFFICER. That does not appear in the text?

Mr. BINGHAM. No. By leaving it out we take care of the automatic promotions in all of the departments and the District of Columbia, promotions which automatically come in pay to the firemen and policemen of the District of Columbia, the post-office clerks, members of the Army and Navy who under the pay act at the end of every five years have a certain increase in their pay. I may say there was no provision in the bill that has caused more suffering and hardship and injustice, in our opinion, than this section 201.

The PRESIDING OFFICER. Then no action is necessary?

Mr. BINGHAM. No.

Mr. FRAZIER. Mr. President, I have no objection to the provision in general any more than where it has to do with the Army and Navy. It seems to me, if there is any chance of real reduction in our Budget, it is in the Army and Navy.

Mr. BINGHAM. This is not in the economy provision. These are the step-ups in pay periods.

Mr. FRAZIER. Cutting out the automatic increase in promotions would mean something over \$2,000,000 of saving in the Army and Navy alone. I would like to see that provision left as it is. Regarding the postal employees and some of the other employees mentioned, perhaps there is some reason for it; but I can see no great hardship so far as the Army and Navy are concerned if the provision is continued another year.

Mr. BINGHAM. It has caused a great deal of hardship in the Army and the Navy because the pay acts of both Army and Navy imply that when a young lieutenant comes into the service he can get along on relatively very little. At the end of five years it is assumed he may desire to get married and there is a considerable step-up and increase in his pay. At the end of another five years another change takes place. The result of the economy act is that we have men in the Army and in the Navy who have been denied the very considerable increases which the Congress had determined they should get and which officers serving alongside of them receive. There are cases in the Navy where an officer who

entered the academy in June received his pay increase and an officer who entered in July did not get it, making a difference of \$900 in the pay of two members of the same class.

Mr. President, the next amendment is in section 202 of the economy act. The House bill continued section 202 of the economy act, which prohibited administrative promotions in the civil branch of the Government, but permitted the filling of a vacancy without the requirement contained in section 202, as now in force, that the President approve such case. The committee recommendation continues this provision of the economy act as now in force without change except that it inserts a provision which provides that the restoration of employees to their former grades or their advancement to intermediate grades following disciplinary reductions in compensation shall not be construed to be administrative promotions.

In the Post Office Department it seems it is sometimes necessary in disciplinary measures to reduce pay. That can be done and is generally done for a few days or at most for a few weeks. The Comptroller General ruled that the pay at the end of the period could not be increased back to what it was before. That seemed to the committee a great injustice. We did not intend to do any such thing. That is on page 71, paragraph 6. I move the adoption of that after it shall have been read by the clerk.

The VICE PRESIDENT. Let it be read for the information of the Senate.

The CHIEF CLERK. On page 71, line 13, insert:

(6) The first sentence of section 202 is amended by striking out the period at the end thereof and inserting in lieu thereof a colon and the following: "Provided further, That the restoration of employees to their former grades or their advancement to intermediate grades following reductions of compensation for disciplinary reasons shall not be construed to be administrative promotions for the purposes of this section."

The VICE PRESIDENT. The question is on agreeing to the paragraph.

The paragraph was agreed to.

Mr. BINGHAM. Mr. President, with regard to the filling of vacancies, the committee recommends no change and therefore there is no amendment proposed. The House bill did not continue for the fiscal year ending June 30, 1934, section 203 of the economy act, which prohibited the filling of vacancies. The committee recommendation continues the section as in force during the fiscal year 1933. Therefore there is no amendment to be offered in that regard.

We next come to the question of retirement annuities of certain employees retired under section 204. Senators may have heard complaints that there were certain employees who were retired between the 1st of July and the 1st of August, 1932, who under the law could not receive their retirement pay for the few days in between those two dates. They were retired forcibly. We intended that they should be retired as of the 30th of June, but there being some 2,000 of them their names could not be prepared; and although a small amount of money is needed in addition, the committee believes they are entitled to their retirement annuity from the date of their separation from the service rather than from the first of the succeeding month. Therefore, on page 75, I move the adoption of section 8.

The VICE PRESIDENT. Let it be stated for the information of the Senate.

The CHIEF CLERK. On page 75, section 8, following line 13:

SEC. 8. All officers and employees of the United States Government who had reached the retirement age prescribed for automatic separation from the service on or before July 1, 1932, and who were continued in active service for a period of less than 30 days subsequent to June 30, 1932, pursuant to an Executive order issued under authority of section 204 of Part II of the legislative appropriation act, fiscal year 1933, shall be regarded as having been retired and entitled to annuity beginning with the day following the date of separation from active service, instead of from August 1, 1932, and the Administrator of Veterans' Affairs is hereby authorized and directed to make payments accordingly from the civil service retirement and disability fund.

The VICE PRESIDENT. The question is on agreeing to the paragraph.

The paragraph was agreed to.

Mr. DALE. Mr. President—

The VICE PRESIDENT. Does the Senator from Connecticut yield to the Senator from Vermont?

Mr. BINGHAM. I yield.

Mr. DALE. I would like to ask if it is in order to offer individual amendments to this section?

Mr. BINGHAM. Under the agreement, it would not be in order. Does the Senator desire to amend some part of the section which has just been adopted?

Mr. DALE. I want to offer an amendment following line 13, on page 75.

The VICE PRESIDENT. That went over, and therefore it would not be in order at this time.

Mr. BINGHAM. The Senate just adopted the provision relating to pay for those members, particularly in the Post Office Department, who did not receive their retirement pay from the date in July, about the 15th of July, until the 1st of August. The Senator's amendment will be in order later. It is not precluded by our having adopted the section.

Mr. DALE. That is what I had in mind.

Mr. BINGHAM. It may be added to it later.

The next item is in regard to travel allowances. Last year the committee recommended in the economy act that members of the Army and Navy be placed upon the same travel allowances as civilian employees. We believed we were saving money by doing that. Our attention was called by the Comptroller General to the fact that it actually caused an increase in expenditures, because officers in the Army and Navy while traveling have to pay their own subsistence and civilian employees do not. Therefore we desire to omit subsection (a) of section 206 of the economy act. That is on page 69, line 8, the figures "206," and, in line 9, the words "except subsection (a) thereof."

The VICE PRESIDENT. What is the motion of the Senator?

Mr. BINGHAM. To adopt those words.

The VICE PRESIDENT. The question is on agreeing to the amendment to the paragraph offered by the Senator from Connecticut.

The amendment to the paragraph was agreed to.

Mr. BINGHAM. Mr. President, on page 76, with regard to travel allowances for use of motor cars and motor cycles, in section 9 the committee recommends a reduction of the allowance for the use of automobiles by owners from 7 cents to 5 cents per mile and for motor cycles from 3 cents to 2 cents per mile. I ask the clerk to read section 9 on page 76.

The VICE PRESIDENT. The clerk will read as requested.

The CHIEF CLERK. On page 76:

SEC. 9. The allowance provided for in the act entitled "An act to permit payments for the operation of motor cycles and automobiles used for necessary travel on official business, on a mileage basis in lieu of actual operating expenses," approved February 14, 1931 (U. S. C., Supp. V, title 5, sec. 73a), for travel ordered after the date of enactment of this act shall not exceed 2 cents per mile in the case of travel by motor cycle or 5 cents per mile in the case of travel by automobile.

Mr. BINGHAM. Senators may not understand clearly why we are apparently skipping about from place to place in the bill. It was explained last evening, in order that Senators might understand fully what was being done, that we would take up the matters in the order in which they are referred to in the report. That necessitates repeatedly going back to section 4 and adopting some small parts of it. I recognize it is a very unusual parliamentary procedure, but believe Senators appreciate that by adopting the amendments in such way they may know from action to action just exactly what provisions of the bill are being dealt with. I ask the adoption of section 9 on page 76.

The VICE PRESIDENT. It has been read. The question is on agreeing to the section.

The section was agreed to.



Mr. BINGHAM. Mr. President, the next provision is on page 76, section 10, requiring officers and employees of the United States to travel by the lowest first-class rate rather than by some higher rate that they may think themselves entitled to.

The VICE PRESIDENT. Let it be reported.

The CHIEF CLERK. On page 76:

SEC. 10. Whenever by or under authority of law actual expenses for travel may be allowed to officers or employees of the United States, such allowances, in the case of travel ordered after the date of enactment of this act, shall not exceed the lowest first-class rate by the transportation facility used in such travel.

The VICE PRESIDENT. The question is on agreeing to the section.

The section was agreed to.

Mr. BINGHAM. The next subject is on page 71, section 7, wherein section 211a of the act is amended to read that the reduction in the compensation for night work instead of being one-half shall only be one-third. It is true that this provision will increase expenditures by upwards of \$300,000, but it seemed to the committee only fair to the night workers.

The VICE PRESIDENT. Let the amendment be stated for the information of the Senate.

The CHIEF CLERK. On page 71, lines 21 to 25:

(7) section 211 (a) (2) is amended to read as follows:

"(2) Wherever by or under authority of law compensation for night work (other than overtime) is at a higher rate than for day work, such differential shall be reduced by one-third;"

Mr. SHEPPARD. I wish to announce that the Senator from Virginia [Mr. SWANSON] is necessarily detained on official business, and that the Senator from Mississippi [Mr. STEPHENS], the Senator from Oklahoma [Mr. THOMAS], and the Senator from Louisiana [Mr. LONG] are necessarily out of the city.

Mr. COSTIGAN. Mr. President, may I ask the Senator whether any consideration was given by the committee to the restoration of the differential in full?

Mr. BINGHAM. Yes. The Senator will realize that a considerable amount of money is involved; even by changing it from one-half to one-third, an additional expense of \$300,000 is involved. The committee finally decided unanimously that under the circumstances that was the best we could do.

Mr. COSTIGAN. May I ask that the section be passed over temporarily, so that some inquiries may be made with respect to the difference between the one-third and the full restoration of the differential?

Mr. BINGHAM. I think the Senator from Iowa [Mr. DICKINSON] is familiar with this provision and can probably answer the Senator's inquiries.

Mr. COSTIGAN. I wish to make some inquiries of Senators who are not now in the Senate Chamber.

The VICE PRESIDENT. The Senator from Colorado asks unanimous consent that the paragraph may be temporarily passed over. Is there objection?

Mr. BINGHAM. I have no objection.

The VICE PRESIDENT. The Chair hears no objection, and the paragraph will be passed over temporarily.

Mr. BINGHAM. The next paragraph has to do with the administrative furlough during the fiscal year 1934. The House bill did not continue section 216 of the economy act providing for administrative furloughs. Your committee recommends the continuance of that section, but adds an amendment which will be found on page 72, lines 1 to 8.

The VICE PRESIDENT. The amendment will be stated.

The CHIEF CLERK. At the top of page 72 it is proposed to insert the following:

(8) Section 216 is amended by striking out the period at the end thereof and inserting in lieu thereof a colon and the following: "Provided further, That no employee under the classified civil service shall be furloughed under the provisions of this section for a total of more than 90 days during the fiscal year 1934, except after full and complete compliance with all the provisions of the civil service laws and regulations relating to dismissals from the civil service."

Mr. BINGHAM. Mr. President, it was brought to our attention that some of the officers of the Government in the operation of the economy act administered the furlough provision in a manner practically to deprive the employee of his employment in some cases, and amounting to as many as six months in other cases, and even more than that. The committee felt that that was virtually a dismissal, and, therefore, if the administrative furlough amounted to more than 90 days during the fiscal year, that the employee should have the same protection of the civil service law which is afforded in cases of dismissal; in other words, that there should be a full investigation, and the employee might appeal to the Civil Service Commission.

Mr. LA FOLLETTE. Mr. President, may I ask the Senator whether he believes that the committee's attitude concerning this section would be altered in any degree in case the so-called Bratton amendment, providing for a 5 per cent reduction in appropriations, were to be applied to all the departments, without any saving clause so far as its effect on salaries or furloughs is concerned?

Mr. BINGHAM. The attitude of the committee is that of an endeavor to protect the employees of the Government from arbitrary and prolonged furloughs, which is the case at present in some instances, and to require in case of any administrative furlough of more than 90 days that there shall be full and complete compliance with the civil service law relating to dismissals.

Mr. LA FOLLETTE. Mr. President, this amendment to this bill will continue in force section 216 of the original economy act with the addition of the proviso contained in the amendment. The question I am seeking to raise is this: If the so-called Bratton amendment should be adopted, giving the departmental heads the right to reduce pay 5 per cent in addition to the reduction already in operation, should not the time for which a furlough may be ordered, without review, be shortened? In other words, if the 5 per cent cut, in addition to the one already in force, is to apply, and the heads of the department are to have discretion in the matter, it seems to me that the period should be shortened from 90 days to some lesser length of time, because otherwise very long furloughs, 90 days, for example, would be used as a means of achieving the cuts in salary. Does the Senator know whether the committee has given any consideration to that phase or aspect of the matter?

Mr. BINGHAM. Mr. President, the committee considered the question as to what character of furloughs, in point of time, would make it advisable for an appeal to be taken to the Civil Service Commission, and in the committee's opinion, a furlough of 90 days was sufficiently severe to require an appeal; but if the Senator thinks an appeal should be allowed at the end of 60 days, I shall not oppose such an amendment.

Mr. MCKELLAR. Mr. President, I want to say to the Senator from Wisconsin that the shortening of the period would be very wise. The fact came before the committee that some employees had been furloughed for as long as eight months, and were still furloughed. We thought that that was entirely improper; that a limit ought to be fixed, and we fixed the period, acting according to our best judgment, at 90 days. If the Senator from Wisconsin desires that it be fixed at 60 days, I see no objection at all to that.

Mr. DICKINSON. Mr. President—

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Iowa?

Mr. LA FOLLETTE. I did not know I had the floor.

The VICE PRESIDENT. The Senator from Iowa is recognized.

Mr. DICKINSON. Mr. President, with reference to this 90-day period, I simply want to suggest this: That there are some places where it seemed to us a turnover should be forced. I am fearful that if we cut the period down too much the result may be to disorganize the efficiency of the service. It is only in a few cases where even a 60-day furlough will be needed. But we did find that in certain de-

partments they were furloughing some persons and letting other personnel in the same bureau stay on continuously with no furlough.

The theory here is if anyone is furloughed 90 days, that that shall be the maximum. I am afraid if we shorten it too much we will have serious complications in the turnover so far as personnel in some bureaus is concerned. I see no objection to the suggestion other than that phase of it.

Mr. McKELLAR. Mr. President—

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from Tennessee?

Mr. DICKINSON. I yield.

Mr. McKELLAR. Of course, it was the idea of the committee to diffuse the furloughs as much as possible, if they were necessary, and while the committee has fixed it at three months, I am rather inclined to think it could be worked out on a 60-day basis, and I have no objection to that, so far as I am concerned.

Mr. DICKINSON. Mr. President, I should like to make one further suggestion. The Bratton amendment requiring a further reduction of 5 per cent, if it is to be made to apply generally to the departments, will impose the necessity of a provision of this kind, and that must be taken into consideration in the matter of whether or not they could comply with the provision with a 60-day furlough.

The purpose of the committee was to force a turnover and not let one group have all the pay and another group have all the furloughs. I think before the committee could consent to a reduction of the time that we ought to ask some of those in authority to find out whether or not it would disorganize the service.

Mr. McKELLAR. Mr. President—

Mr. BINGHAM. Mr. President, just a moment. If I understood the Senator from Iowa correctly, he thinks this is a limitation on the time for which administrative furloughs might be made. There is no such limitation, of course, and I see the Senator so understands it. It is merely that if a long administrative furlough is used, the clerk must have the same right of appeal as though he were about to be dismissed.

Mr. McKELLAR. Either way, the provision will go to conference and may be worked out there.

Mr. LA FOLLETTE. Mr. President, on page 72, line 5, I move to strike out "ninety" and insert "sixty."

The VICE PRESIDENT. The question is on the amendment of the Senator from Wisconsin to the paragraph reported by the committee.

The amendment to the paragraph was agreed to.

The paragraph as amended was agreed to.

Mr. BINGHAM. The next subject, Mr. President, will be found in the report on page 8 in the paragraph headed "Limitation on transfer of appropriations for construction."

The House committee recommendation continues section 317, which is known as the 12 per cent interchange-of-appropriations provision. Our recommendation, however, adds the provision to be found on page 72, reading:

*Provided further*, That appropriations available for construction shall not be transferred hereunder for personal services.

As has been done in several departments. I ask that the paragraph may be stated.

The CHIEF CLERK. On page 72, line 9, it is proposed to insert:

(9) Section 317 is amended by striking out the period at the end thereof and inserting in lieu thereof a colon and the following: "*Provided further*, That appropriations available for construction shall not be transferred hereunder for personal services."

The VICE PRESIDENT. The question is on agreeing to the paragraph.

The paragraph was agreed to.

Mr. BINGHAM. The next paragraph to which I wish to call the attention of the Senate is on page 76, section 11. It relates to the Saturday half holiday in veterans' homes and hospitals. It has been found, I will say in brief explanation, that in certain cases anesthetists, nurses, and others whose services were needed in an emergency on Saturday

afternoons, discovering that the law protected them so that they did not have to work on that afternoon, took a half holiday when they chose. It was believed wise to give the Administrator of Veterans' Affairs the privilege of saying whether or not such employees may secure a half holiday during the week on some day other than Saturday which will interfere the least with the administration of the homes and hospitals.

Mr. ASHURST. Mr. President, it will be remembered that on last Saturday I gave notice that I would move to strike out section 11, to be found on pages 76 and 77.

Mr. BINGHAM. The same result can be achieved, I will say to the Senator, by voting "no" on the amendment of the committee incorporating section 11.

Mr. ASHURST. Therefore, I shall not make the motion to strike out, because, as the Senator from Connecticut says, the result I seek may be reached by disagreeing to the proposed amendment.

Mr. President, in my judgment, the proposed section 11 is discriminatory. Employees in Veterans' Administration hospitals should have the same Saturday half holidays as do other employees of the Federal Government. Physicians, nurses, and attendants in Veterans' Administration hospitals who are treating and waiting on patients in Veterans' Administration hospitals should have the same opportunity to relax and to refresh themselves as do other Government employees. There should be no discrimination.

I read a letter from Mr. Walter P. Taylor, one of the vice presidents of the National Federation of Federal Employees, as follows:

NATIONAL FEDERATION OF FEDERAL EMPLOYEES,  
January 14, 1933.

Hon. HENRY F. ASHURST,

*United States Senate, Washington, D. C.*

DEAR SENATOR ASHURST: The "Saturday half holiday in veterans' homes" provision, which may deprive the employees at the veterans' hospitals of their Saturday half holiday, is, to my mind, objectionable. It climaxes a long train of burdens which have been piled upon Government employees generally, and Veterans' Administration employees in particular, as follows:

1. Quarters, subsistence, and laundry constitute a considerable burden on Veterans' Administration employees on a quarters, subsistence, and laundry contract basis.

The case may be cited of a young man entering the service of the dietetic department of one of the big hospitals in the Southwest. He is compelled to pay \$25 per month for subsistence. He is married and his family live off the station. He is compelled to support his family on the balance of his pay, usually about \$65 per month. The Veterans' Administration provision regarding quarters, subsistence, and laundry, on occasion even operated as a hindrance to getting married. If two quarters, subsistence, and laundry employees wish to get married, and there is no room for them on the station as a married couple, they must, of course, move off the station. The stand is taken that even so this young couple must pay for quarters, subsistence, and laundry as per their contract. The young couple is charged \$12.50 each for room, \$25 or \$30 each for their subsistence, and \$2.50 each for their laundry. A correspondent says: "It would seem that something might be done to stop this compulsory practice of forcing employees to pay for something they do not want, or may not use."

Another case: A janitor employed at one of the large hospitals has a wife and child. No family quarters being available at the hospital, this man must live in town. Nevertheless, a deduction for quarters, laundry, and subsistence is made from his salary. Hence he pays for a bed and bed space he never occupies, meals he never eats, and laundry he never has done. Out of his already meager income, he has to pay for the maintenance of two households, and can only occupy one.

Furthermore, all quarters, subsistence, and laundry employees in the Veterans' Administration have to pay cash for quarters, subsistence, and laundry while on furlough. The charge for quarters in the absence on furlough of their occupant is perhaps not unreasonable. The case is less clear for charging employees for meals they do not eat and laundry they do not have done.

It is obvious that these double deductions in the Veterans' Administration bear with unusual severity on the low-paid employees, mechanics, guards, orderlies, laundry workers, and others who constitute the majority of workers at the great veterans' hospitals. In one case the death of a parent made it necessary for one of the employees to be absent to care for the burial. This occurred early in the year, prior to accumulation of furlough time. Quarters, subsistence, and laundry deductions were made in toto, however, for time absent, and unaccrued furlough time was charged to salary. The result was that no salary was paid to this man for two consecutive pay periods of two weeks each.

2. The 8½ per cent compulsory furlough has borne with special severity on certain of these quarters, subsistence, and laundry employees in the Veterans' Administration.



Obviously, where quarters, subsistence, and laundry have borne down with unusual severity, as in the cases cited, the economy act has made things seem very much worse, and they actually are.

3. Dismissal of married persons has had a disheartening effect on the total income of certain Veterans' Bureau families.

4. Lack of authority to fill vacancies has been one of the most troublesome provisions of the economy act.

This has piled up work on the staff members, particularly in certain units.

5. Suspension of promotions has resulted in added duties and responsibilities with no increase in pay.

In one hospital an attendant has taken over the duties of a surgical assistant who recently had to resign as a result of the married-persons clause. But the attendant receives only a little more than half the pay formerly given the surgical assistant.

Add to all these inhibitions and added duties the deprivation of Saturday half holiday and a further 1½ per cent pay cut, and the feeling of the lower-paid employees can be readily imagined.

How can a tired, overworked personnel give adequate care to the sick? The piling up of burden upon burden is not the way to secure efficient care for the veterans.

We know your constituents in the two large veterans' hospitals in Arizona are deeply interested in this matter of the discriminatory deprivation of Saturday half holiday.

Very truly yours,

WALTER P. TAYLOR,  
Fifth Vice President.

Mr. President, this letter contains the argument as I see it. Why discriminate against the personnel in the Veterans' Administration hospitals?

Mr. COSTIGAN. Mr. President—

Mr. ASHURST. I yield to the Senator from Colorado.

Mr. COSTIGAN. Am I correctly advised that, under the present practice, in emergencies the employees of the hospital do respond regularly to orders which call them into service on Saturdays outside of usual hours?

Mr. ASHURST. Mr. President, it is my information that the physicians' attendants, nurses, and other personnel in the Veterans' Administration hospitals must and do hold themselves in readiness to respond at all times to an emergency call.

Mr. COSTIGAN. In other words, this amendment is merely an attempt to solidify in statutory form a practice which already prevails and is unnecessary, because present employees would undoubtedly ultimately be discharged if they failed to respond to such administrative orders?

Mr. ASHURST. That is true. I have visited a number of our Veterans' Administration hospitals, and I have never heard a complaint that the personnel, when a real emergency appeared, refused to serve at any time of the night or day, even during their holiday period. I think this section is a discrimination; and I should be glad to hear from some member of the committee why it was inserted.

Mr. COSTIGAN. Mr. President, may I ask the able Senator from Arizona a further question?

Mr. ASHURST. I yield.

Mr. COSTIGAN. Is it not unfortunate at this time, when we are discussing the possibilities of the 6-day week, to have legislation of this sort enacted?

Mr. ASHURST. I thoroughly agree with the Senator from Colorado.

Mr. BINGHAM. Mr. President, this provision was adopted at the suggestion and recommendation of a man for whom we all have the highest regard and respect—namely, General Hines.

It has come to my personal attention that on several occasions—I do not care to mention names, dates, or places—where operations needed to be performed on Saturday afternoon, certain individuals took advantage of the Saturday half holiday to say that they had to go off and have their holiday at that time. There was nothing in the law which required them to stay on. I presume in the majority of cases they do stay on. When they stay on, they decide that they will take the half holiday on some other day.

There are times in our hospitals—at the present time our hospitals are very greatly crowded—when it becomes extremely necessary for the administrator to require the services of certain individuals every afternoon in the week. I call the Senator's attention to the fact that, as stated in

lines 20 and 21, page 76, this only acts "where, in the discretion of the Administrator of Veterans' Affairs, the public interest requires that such employees should be excepted from the provisions" of the half holiday act.

This provision is in the interest of the sick and the suffering, Mr. President, and for no other purpose. I regret very greatly to have anything else brought into this discussion, such as a general theory of hours and labor, because we adopted the provision after consulting with the Administrator of Veterans' Affairs in order that the sick and the suffering might not be denied necessary attention when, in his opinion, they needed it. That is all there is in this provision.

Mr. COSTIGAN. Mr. President, will the Senator yield? The PRESIDING OFFICER. Does the Senator from Connecticut yield to the Senator from Colorado?

Mr. BINGHAM. I yield.

Mr. COSTIGAN. In the section under discussion, the provision in dispute reads, in part, that—

Seven hours shall constitute a workday on Saturday and labor in excess of four hours on Saturdays shall not entitle such employees to an equal shortening of the workday on some other day or to additional compensation therefor.

Is there not definite injustice done employees if they are not permitted at some time to offset this unusual and imposed labor, not necessarily immediately, but at some appropriate subsequent time?

Mr. BINGHAM. Of course that can be done, Mr. President. It is only where, in the discretion of the administrator, the public interest requires it, that we give this authority. The question is, Are we going to favor the employee who wants a half holiday, or are we going to favor the seriously sick persons who need attention?

That is the only question involved. There is no general change in the law. It is only when the public interest requires it. There are some employees who are always willing to grant this extra time when the public interest requires it, as the Senator from Arizona has said. There are other employees who put their own personal concerns first. There are not many of the latter; but in order that we may meet the emergency we inserted this provision, and I hope the Senator will not object to it.

Mr. COSTIGAN. Mr. President, will the Senator yield?

Mr. ASHURST. If I have the floor, I yield.

Mr. COSTIGAN. I submit that the Senator from Connecticut has not answered the inquiry addressed to him. By all means, we agree that the sick should be preferred. The essential question is whether the hardship imposed upon the employee is not in some way to be taken care of on some other working-day; and that question the Senator from Connecticut has not discussed.

Mr. BINGHAM. Mr. President, I can not make myself any plainer than I have done. The employees will get their half holiday whenever it can be arranged, except in cases where the public interest and emergency and a large number of patients make it impossible. The clause "where, in the discretion of the Administrator of Veterans' Affairs" applies to the whole paragraph. It is in case of an emergency, where there is an epidemic and the hospital is full of patients, and it is impossible to grant anybody a half holiday during a week or two weeks or three weeks that the provision would apply. Certainly the Administrator of Veterans' Affairs is not going to say that the public interest requires that the employees go without their half holiday permanently, or except in case of great necessity.

Mr. COSTIGAN. Then, Mr. President, I submit that the language of the section as placed before the Senate does not achieve the end suggested by the Senator from Connecticut. It provides definitely that this extra work "shall not entitle such employees to an equal shortening of the workday on some other day or to additional compensation."

Mr. BINGHAM. That is only in the case of employees who are excepted from the provisions "in the discretion of the Administrator of Veterans' Affairs." If the Senator will read line 23, he will see that it applies only to them.

Mr. COSTIGAN. My suggestion is that it should not apply to them. They should have some compensating allowance of time at some other period in the year.

Mr. ASHURST. Mr. President, having spoken once, I do not believe I have a right to speak again.

The PRESIDING OFFICER. Under the strict rule, the Senator would not have.

Mr. ASHURST. I do not wish to violate the rule, but I will ask for a minute to say that the word "not," in line 1 on page 77, should be stricken out.

If I may be indulged another minute, I do not question the good faith of the committee, in an effort to alleviate the suffering and to serve the sick, in seeking the enactment of a law and the enforcement of regulations such as will serve the suffering, the ill and disabled, but I do not think it is necessary to galvanize the rule into law, and I therefore support the view of the Senator from Colorado.

The PRESIDING OFFICER. The question is on agreeing to section 11.

Mr. COSTIGAN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Ashurst	Costigan	Kean	Robinson, Ind.
Austin	Couzens	Kendrick	Russell
Bailey	Cutting	Keyes	Schall
Bankhead	Dale	King	Schuyler
Barbour	Davis	La Follette	Sheppard
Barkley	Dickinson	Lewis	Shipstead
Bingham	Dill	Logan	Shortridge
Black	Fess	McGill	Smoot
Blaine	Fletcher	McKellar	Stelwer
Borah	Frazier	McNary	Thomas, Idaho
Bratton	George	Metcalf	Townsend
Brookhart	Goldsborough	Moses	Trammell
Bulkeley	Gore	Neely	Tydings
Bulow	Grammer	Norbeck	Vandenberg
Byrnes	Hale	Norris	Wagner
Capper	Harrison	Nye	Walcott
Caraway	Hastings	Oddie	Walsh, Mass.
Clark	Hatfield	Pittman	Walsh, Mont.
Connally	Hayden	Reed	Watson
Coolidge	Hull	Reynolds	Wheeler
Copeland	Johnson	Robinson, Ark.	White

The VICE PRESIDENT. Eighty-four Senators having answered to their names, there is a quorum present.

Mr. ASHURST. Mr. President, having exhausted my time, I, of course, can not debate further; but I do move to strike out, on page 77, line 1, the word "not," and after the word "day" on the second line, on page 77, to strike out the words "or to additional compensation therefor."

Mr. NORRIS. How would it read if so amended?

Mr. ASHURST. It would read:

As to those employees excepted from the provisions of the act of March 3, 1931, seven hours shall constitute a workday on Saturday and labor in excess of four hours on Saturdays shall entitle such employees to an equal shortening of the workday on some other day.

Mr. BINGHAM. Mr. President, I have explained to the Senate that section 11 was inserted at the request of General Hines. It applies only where in the discretion of the Administrator of Veterans' Affairs it would be required, and it is intended to take care of an emergency situation, particularly epidemics. I hope the amendment may be adopted, as General Hines got the unanimous consent of the committee to recommend it, and I hope that the amendment of the Senator from Arizona will not be agreed to.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from Arizona [Mr. ASHURST] to the amendment of the committee.

Mr. COSTIGAN. I ask for the yeas and nays.

Mr. COPELAND. Mr. President, may I say a word first?

The VICE PRESIDENT. Certainly.

Mr. COPELAND. As I understand it, the act of March 3, 1931, provided that employees might have Saturday afternoon off. Am I right about that, I ask the Senator from New Mexico?

Mr. BRATTON. That is my understanding.

Mr. COPELAND. In the hospitals it sometimes happens that there is an operation, or an acute emergency, where the nurses are needed on Saturday afternoon. I remember it

was also called to our attention that in time of snowstorms, or of some other trouble on account of the elements, it might be necessary to have certain employees on duty on Saturday afternoon.

The Senator from Arizona suggests that the language be changed so that if there should be an occasion when a nurse or some other employee were needed on Saturday afternoon, then such nurse or employee could have the shortened workday some other day than Saturday. At the same time he proposes to strike out the provision about additional compensation therefor. I can not see any objection to that whatever.

I hope the amendment will prevail, and I think those of us who tried to work out a plan will be in agreement.

Mr. ASHURST. I thank the Senator.

The VICE PRESIDENT. The Senator from Colorado asks for the yeas and nays. Is there a second?

The yeas and nays were not ordered.

The VICE PRESIDENT. The question is on agreeing to the amendment to the paragraph.

The amendment to the paragraph was agreed to.

The paragraph as amended was agreed to.

Mr. BINGHAM. Mr. President, the next amendment is in regard to assignments of Army, Navy, and Marine Corps officers to duty in the Philippines.

At present foreign service is limited to two years, and there is a very great amount of cost in travel and travel allowances for the officers and their families. The committee believed that, except in cases where the health of the officer or the public service required it, foreign service should be for four years instead of two years. Therefore, on page 77, section 12 has been amended to cover that matter, with the understanding that it will save about three-quarters of a million dollars annually.

Mr. JOHNSON. Mr. President, may I inquire whether this is one of the sections in which the Senator from Pennsylvania is interested?

Mr. BINGHAM. I think not.

Mr. ODDIE. Mr. President, has it not been the impression, gained from medical testimony in years past, that more than two years' service in the Tropics is detrimental to the health not only of the men in the service but their wives?

Mr. BINGHAM. Mr. President, I lived in the Tropics for 16 consecutive years, and it was not very detrimental to my health.

The VICE PRESIDENT. The question is on the amendment, which will be reported.

The CHIEF CLERK. On page 77, line 4, section 12, the committee proposes to insert the following paragraph:

Sec. 12. Assignment of officers of the Army, Navy, or Marine Corps to permanent duty in the Philippines, on the Asiatic station, or in China, Hawaii, Puerto Rico, or the Panama Canal Zone shall be for not less than four years. No such officer shall be transferred to duty in the continental United States before the expiration of such period unless the health of such officer or the public interest requires such transfer, and the reason for the transfer shall be stated in the order directing such transfer.

Mr. HALE. Mr. President, I understand that when this amendment came before the committee, the understanding was that the Army and the Navy both would have a chance to be heard should this amendment be adopted and go to conference.

Mr. BINGHAM. That is correct. It was agreed that the conferees would hear spokesmen of the Army and the Navy on the amendment.

The VICE PRESIDENT. The question is on agreeing to the paragraph.

The paragraph was agreed to.

Mr. BINGHAM. Mr. President, the next amendment is in regard to a legal matter; and if I may have the attention of the Senator from South Carolina, I will ask him to explain it to the Senate. It is the provision on page 77, in section 13. I am sure the Senator's explanation will be much clearer to members of the bar than would my explanation.

Mr. BYRNES. Mr. President, as I understand, the Senator from New Mexico desires to offer some amendment with reference to this particular section.



Mr. BINGHAM. I will read the report of the committee on the amendment. It is as follows:

The committee recommendation (sec. 13) amends the act of March 3, 1875, relating to the procedure for set-offs against the creditors of the United States. While that act apparently was intended to grant to judgment creditors rights superior to those enjoyed by other creditors of the United States, it contains language with respect to claims, as distinguished from judgments, that might be construed to deny the Government the right to apply toward liquidation of debts due such debtors the amounts due the United States. Such a construction might necessitate the bringing of a suit by the Government to avoid making full payment to a debtor of an amount otherwise due even if his indebtedness to the United States should be only \$1 and clearly due, and the debtor might continue to demand and receive amounts becoming due him from the Government without paying his debt, unless the Government should go to the expense of bringing suit to reduce to judgment the amount of the debt. The amendments eliminate from the statute the language with respect to claims, limiting the application of the statute to judgment creditors.

The VICE PRESIDENT. The question is on agreeing to the paragraph.

The paragraph was agreed to.

Mr. BRATTON. Mr. President, will the Senator from Connecticut yield to me?

Mr. BINGHAM. Yes; I yield.

Mr. BRATTON. Is the next provision the one dealing with personnel of the Civil Service Commission?

Mr. BINGHAM. That is the next amendment.

Mr. BRATTON. After conferring with other members of the committee, I desire to offer a substitute for that section, which I now send to the desk and ask to have read.

The VICE PRESIDENT. The clerk will read.

The CHIEF CLERK. The Senator from New Mexico offers the following as a substitute for section 14, commencing with line 22, page 78:

With a view to securing uniformity of method, avoiding unnecessary duplications of records, and assuring economy of expenditures for such work, the Civil Service Commission is hereby authorized and directed to investigate, develop, and install in the departments and independent establishments, including their field branches, uniform methods and forms for service records of employees, to be maintained by such departments and establishments.

Mr. COSTIGAN. Mr. President, may I ask the Senator from New Mexico whether, under the substitute, the Civil Service Commission would retain its own records?

Mr. BRATTON. Yes. The substitute would not affect that phase of the work. It merely authorizes the Civil Service Commission to provide uniform records to be kept in the several departments. They will be kept by each department, and reported to the Civil Service Commission, just as at present. It is believed that simplicity will follow the adoption of a system of uniform records, and consequently economy. That is all the substitute would do. It would empower the Civil Service Commission to provide uniform records to be kept by the several departments.

Mr. COSTIGAN. Mr. President, is the information correct which I have just received, indicating that the section as drafted by the committee originally would have created confusion in the Civil Service Commission's records?

Mr. BRATTON. At least, the Civil Service Commission believed so. Members of the commission talked with members of the committee, and, after going over the matter quite thoroughly, and at different times, it was the conclusion of the committee that for the present at least this step should be taken toward unifying the records to be kept by the several departments.

Mr. McKELLAR. Mr. President, will the Senator point out the exact difference between the language now in section 14 and the language he proposes?

Mr. BRATTON. I will read the language of the substitute.

Mr. McKELLAR. I will follow the language in the bill while the Senator reads.

Mr. BRATTON. The substitute reads as follows:

With a view to securing uniformity of method, avoiding unnecessary duplications of records, and assuring economy of expenditures for such work, the Civil Service Commission is hereby authorized and directed to investigate, develop, and install in

the departments and independent establishments, including their field branches, uniform methods and forms for service records of employees, to be maintained by such departments and establishments.

Mr. WHEELER. Mr. President—

The VICE PRESIDENT. Does the Senator from New Mexico yield to the Senator from Montana?

Mr. BRATTON. I yield.

Mr. WHEELER. Will the Senator explain how that would be a saving? It seems to me that it only increases the work. Why would it not be better to have the one record kept by the Civil Service Commission rather than have the different departments and bureaus build up a record of the services of the employees?

Mr. BRATTON. Because the departments are doing that now. Each employee works in some department; each department knows the character of his work and the efficiency of his service. The departments are keeping the records now, but the forms are not unified. Some are more detailed than others. It is the belief of the commission that by authorizing it to prescribe uniform records so that they will all be alike, it will simplify and expedite keeping the records and consequently effect economy.

Mr. KEAN. Mr. President—

The VICE PRESIDENT. Does the Senator from New Mexico yield to the Senator from New Jersey?

Mr. BRATTON. I yield.

Mr. KEAN. I should like to ask the Senator whether this will not increase the expenses of the Government and whether the amendment does not make for more expense rather than economy?

Mr. BRATTON. It does not because each department is keeping the records now, but they differ. Each department promulgates its own forms. Under this amendment the Civil Service Commission is authorized to unify the forms, but each department will keep its records hereafter just as it does now. However, they will then all be alike. It would simplify the method of keeping and the method of transmitting information to the Civil Service Commission. I have no doubt that the forms kept in the several departments will harmonize more perfectly with those kept in the commission itself and, therefore, will curtail the efforts and expedite the work and bring about economies.

Mr. KEAN. Mr. President, may I ask the Senator one more question?

Mr. BRATTON. Certainly.

Mr. KEAN. If this system is not put into effect and all were based on the Civil Service records, and their records were the only records, the departments could do away with a whole lot of work, could they not?

Mr. BRATTON. The Civil Service Commission could not possibly know what a thousand employees were doing in the Department of Commerce and another thousand in the Department of Agriculture, for instance. Of course, each department must keep the record of its own personnel and transmit information from those records to the Civil Service Commission for action in computing annuities and promotions, and for other purposes. Each department is keeping its own records now. It is impossible for the Civil Service Commission to do it unless we authorize the commission to put a staff here and a staff there and a staff yonder. That would duplicate effort and increase expense. This will economize instead of increasing expenses.

Mr. DALE. Mr. President—

The VICE PRESIDENT. Does the Senator from New Mexico yield to the Senator from Vermont?

Mr. BRATTON. Certainly.

Mr. DALE. I am very sorry to have to differ with my able friend from New Mexico.

Mr. BRATTON. I am more sorry to find myself at variance with the Senator from Vermont.

Mr. DALE. I can not help feeling that the Senator from New Jersey has the proper view of the question and that it will increase the expense. I did not want the colloquy to go by without stating that I am sure from my own research that this will greatly increase the expense.

Mr. BRATTON. Does the Senator favor the Civil Service Commission keeping the records in the several departments?

Mr. DALE. I favor the Civil Service Commission keeping the records just as they keep them now. They have been a great many years building up the records which they now have and are now keeping.

Mr. BRATTON. That will be done hereafter just as it is done now except that the forms on which the records are kept may be changed in order that they will be the same in the several departments. That is the only difference the amendment would effect.

Mr. DALE. But the Civil Service Commission, if this provision is adopted as it stands in the bill now, would have to go to hundreds of different points.

Mr. BRATTON. Perhaps the Senator was not present when I offered a substitute for the section. We are now discussing a substitute which simply provides that the Civil Service Commission shall provide the forms on which the several departments shall keep the records of their personnel.

Mr. BINGHAM. Mr. President, may I suggest to the chairman of the Committee on Civil Service [Mr. DALE] that he have an opportunity to study the substitute before offering his motion to strike out.

Mr. DALE. I know what the substitute is. It makes it necessary for the Civil Service Commission to communicate with many different departments and bureaus in order to get the information. I do not want to take the time now to discuss the matter further. I wish to offer an amendment, when I can offer it properly, to strike out the whole section.

Mr. BRATTON. Very well; I offer the substitute.

Mr. LOGAN. Mr. President—

The VICE PRESIDENT. Does the Senator from New Mexico yield to the Senator from Kentucky?

Mr. BRATTON. I yield.

Mr. LOGAN. As I understand, the departments now keep the records, but they are not uniform. The substitute does no more than to authorize and direct the Civil Service Commission to provide uniformity in the keeping of the records among the departments.

Mr. BRATTON. The Senator has stated the situation accurately and completely.

The VICE PRESIDENT. The question is on agreeing to the substitute, which will again be reported.

The Chief Clerk again reported the substitute of the Senator from New Mexico.

The VICE PRESIDENT. The question is on agreeing to the substitute.

The substitute was agreed to.

The VICE PRESIDENT. The question is on agreeing to the section as amended.

Mr. BINGHAM. Mr. President, I understand the Senator from Vermont desires to strike out the entire section as amended. What he desires can be achieved by having a vote on the present motion.

Mr. DALE. Mr. President, do I understand now is the proper time to make my motion to strike out?

Mr. BINGHAM. A motion has been made to adopt section 14 as amended, and therefore what the Senator desires to achieve may be achieved by voting "nay."

Mr. DALE. I do not see how it can be achieved in that way at all.

Mr. BINGHAM. If the motion is agreed to, then section 14 is omitted from the bill.

Mr. DALE. Oh, no; not on the motion that is now before the Senate.

The VICE PRESIDENT. The question is on agreeing to the section as amended by the substitute.

Mr. BINGHAM. That is section 14 as amended, and if that is agreed to we adopt section 14. If it is lost, then section 14 goes out of the bill.

Mr. DALE. If that is the parliamentary status—

The VICE PRESIDENT. If that motion is agreed to, a motion to strike out the whole paragraph would still be in

order if the Senator from Vermont wants to offer it. The question is on agreeing to the section as amended.

The section as amended was agreed to.

Mr. McNARY. Mr. President, when the Senate reconvened to-day after attending the joint services in the House and began consideration of the unfinished business I stated that the senior Senator from Pennsylvania [Mr. REED] was called from the Chamber and would not return until the middle of the afternoon, and requested that no action be taken on any provision in the bill relating to the Army or the Navy. It was agreed to by all on the floor of the Senate at the time. I was called out a few moment ago, and I am advised that while I was absent section 12, containing a committee amendment, was agreed to as it appears on page 77. In view of the statement and in fairness to the Senator from Pennsylvania, who will return at half past 3, I ask unanimous consent that the vote by which that amendment was adopted may be reconsidered.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the vote by which the amendment was agreed to is reconsidered.

Mr. DALE. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. DALE. Is it proper now to submit a motion to strike out section 14?

The VICE PRESIDENT. It is.

Mr. DALE. Then I submit that motion to strike out section 14 as amended.

The VICE PRESIDENT. The question is on agreeing to the motion submitted by the Senator from Vermont.

Mr. DALE. Mr. President, the civil service system has been in operation for more than 50 years. During all that time its records have been kept by the Civil Service Commission. They were not of any great consequence, apparently, when the commission was organized half a century ago, but they have grown to be of immeasurable consequence as the system has become more and more involved. The commission itself states that the records are made necessary for the maintenance of the service, that a record of each employee is an essential part of applying the provisions of the act.

Mr. COUZENS. Mr. President—

The VICE PRESIDENT. Does the Senator from Vermont yield to the Senator from Michigan?

Mr. DALE. I yield.

Mr. COUZENS. Does the Senator construe the substitute as a move to wipe out these records?

Mr. DALE. Why, yes. The substitute, I think, is better than the original section of the bill as reported by the committee, but I think the substitute has the same effect.

Mr. COUZENS. I am unable to read into the substitute any language which would destroy the already existing records of the Civil Service Commission. I am just as keenly interested as is the Senator from Vermont. I listened to the reading of it particularly. I can see nothing in the substitute which would in any way destroy the effect of the records the Civil Service Commission now has.

Mr. DALE. Of course, answering the Senator from Michigan, under the substitute the commission could keep up its records, but it would vastly increase its work. I have in mind that there are some 45 independent bureaus. It would also make it necessary to consult the records that are kept beyond the continental limits of the country; for instance, the records of some 40,000 employees in the service of the Navy.

Mr. COUZENS. How does the commission get those records now?

Mr. DALE. Those records are now obtained by direct contact of the commission with the individuals. They keep the record of each individual in the civil service; but as I understand the proposal of the Senator from New Mexico [Mr. BRATTON], it would be necessary for the Civil Service Commission, if his proposal is agreed to, to take the records as they are furnished by the heads of the various bureaus.

Certainly it would not be fair to duplicate the work and have the Civil Service Commission doing the same work



that some bureau does in the way of keeping these records. It would be necessary, under the proposal of the Senator from New Mexico, to go to the head of the bureau and ask him to give them his records. Therefore the Civil Service Commission would not have direct contact with the source of information. They would have to take it second-hand.

Mr. COUZENS. Does the Senator mean that the Civil Service Commission agents now contact with each individual employee in all the 45 divisions of the Government?

Mr. DALE. Substantially that is what it amounts to. If the Senator would call up the Civil Service Commission for the record of some individual, he would find that that record would be given over the telephone on the day he called for it.

Mr. COUZENS. Yes; but they obviously must have to get it from the department or the bureau, or else they must travel outside of continental United States to collect the information. Am I to understand that they do that?

Mr. DALE. No. This is the difference: If the Civil Service Commission had the record of a man first-hand and the Senator asked about his seniority, his experience, his military service, or a thousand other things about which he might wish to make inquiry, he would find that they have that information first-hand right there and that they could answer him immediately. Under this method they would have to take the information, for instance, from the head of the Veterans' Bureau as to the employee's military record; they would not have it first-hand.

Mr. COUZENS. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Vermont yield further to the Senator from Michigan?

Mr. DALE. Yes; I yield.

Mr. COUZENS. I understand that the proposal of the Senator from New Mexico does not change that. In other words, the accumulated record of the employee would still be in the Civil Service Commission, but there would not be any change in the present arrangement.

Mr. DALE. The amendment must provide a change of some kind in the present arrangement, or the Senator from New Mexico would not be offering it.

Mr. BRATTON. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Vermont yield to the Senator from New Mexico?

Mr. DALE. I yield.

Mr. BRATTON. The difference is this. The several departments now keep their own records, and when the Civil Service Commission needs an up-to-date record of a given employee it gets it from the proper department, but such records are not uniform; they differ; each department sets up its own forms. This amendment simply authorizes the Civil Service Commission to provide uniform records of its own personnel to be maintained by each department. It would simplify the system; it would make for economy; it would expedite action. That is all the amendment seeks to do.

Mr. DALE. Mr. President, does the Senator from New Mexico insist that the Civil Service Commission take the record of an individual employee as it is made up for him by the head of the bureau in which the individual is employed?

Mr. BRATTON. The Civil Service Commission will get the employee's service record from the department in which he works, because the commission can not get it from any other source. The commission must rely on the department in which an employee works for his record after he begins working in the department. So that information is conveyed to the Civil Service Commission, and it compiles its records and keeps them up-to-date from the information thus furnished. All this amendment does is to make all the records in the several departments alike.

Mr. DALE. Mr. President, the Senator says the commission takes from that source a part of the employee's record, but in the case of seniority, for instance, the seniority a given employee has in relation to all other employees in the Civil Service, that record of course is not kept by the individual department.

Mr. BRATTON. And the amendment does not propose to change that. The Civil Service Commission will continue to get its information from the several departments, just as it now does, and from that information will keep the records in the office of the commission itself up to date. That will be done exactly in the same way under this amendment as it is now done. The only thing this amendment does is to unify the records kept by the several departments instead of having them kept in different ways.

Mr. DALE. May I ask the Senator from New Mexico how will his amendment simplify the keeping of these records?

Mr. BRATTON. Because the Civil Service Commission will provide a standard form so that all the records will be alike. I have no doubt that the records will conform more nearly to those of the Civil Service Commission itself, so that they will harmonize and they may be kept with more efficiency and perhaps with less effort.

Mr. DALE. Is it the sole purpose of this amendment to direct the Civil Service Commission to provide a standard form on which to keep these records?

Mr. BRATTON. Yes; to provide a standard form on which the several departments shall keep their records.

Mr. DALE. That is the only purpose of the amendment?

Mr. BRATTON. That is the only purpose of the amendment.

Mr. DALE. The only purpose of the amendment, then, is to instruct the Civil Service Commission how they may obtain their information in the future?

Mr. BRATTON. No; the only purpose of the amendment is to authorize the Civil Service Commission to provide the form or forms upon which the several departments shall keep their records of civil-service employees.

Mr. ROBINSON of Indiana. Mr. President—

The VICE PRESIDENT. Does the Senator from Vermont yield to the Senator from Indiana?

Mr. DALE. I yield.

Mr. ROBINSON of Indiana. May I ask the Senator a question? Are we to understand that the Civil Service Commission has withdrawn its objection to section 14 and is now in favor of the pending substitute?

Mr. BRATTON. The Civil Service Commission drafted this proposed substitute at my request.

Mr. DALE. Mr. President, may I ask the Senator from New Mexico when they did that?

Mr. BRATTON. They did that soon after this bill was reported to the Senate.

Mr. ROBINSON of Indiana. Mr. President, I hold in my hand a statement from Governor Campbell, chairman of the Civil Service Commission, very vigorously objecting to section 14 and giving the reasons for the objections.

Mr. DALE. What is the date of the communication?

Mr. ROBINSON of Indiana. It was written several days ago, I will say to the Senator, on January 13. I was trying to learn whether the Civil Service Commission was in favor of the substitute which the Senator now offers.

Mr. DALE. Mr. President, this discussion is very interesting to me. When I took this matter up with the committee about all I could find out from the committee was that there was a general misunderstanding between the committee and the Civil Service Commission; that the commission told them they wanted one thing to-day, another thing to-morrow, and probably something else the day after to-morrow, and that was about all the basis there was for putting this section in the bill. Now, the Senator from New Mexico says that the Civil Service Commission has just asked him to present the proposed substitute, and the Senator from Indiana—

Mr. BRATTON. No; I did not say that. The Senator unintentionally misquotes me.

Mr. DALE. I did not intend to misquote the Senator.

Mr. BRATTON. The Senator did it unintentionally.

Mr. DALE. I did misquote the Senator. He said that some time ago they had asked him—

Mr. BRATTON. No; the Senator still misquotes me. I said that the substitute was drafted by the Civil Service

Commission. If the Senator wants to know the details I shall give them to him. In discussing with representatives of the Civil Service Commission their objection to section 14, as reported by the committee, I suggested the feasibility of this proposal. The representative of the commission said he thought the proposal would be good, and within two hours the amendment was drafted and sent to my office.

Mr. DALE. The material point I was trying to reach was this: That since then the Civil Service Commission has sent a protest to the Senator from Indiana, and it sent the same protest to me, at least I assume it is the same, for it looks the same.

Mr. BRATTON. But that letter was directed against the original committee text and not against the substitute. That, I fear, is the point of confusion.

Mr. ROBINSON of Indiana. Mr. President, if the Senator from Vermont will yield a moment longer, I suggest that this statement I hold in my hand, which is a copy of a protest drafted I presume by Governor Campbell, was aimed at section 14 as originally drafted.

Mr. BRATTON. Certainly.

Mr. ROBINSON of Indiana. I know nothing of the substitute, and that is the reason I was asking the Senator from New Mexico for information on that subject. I suggest to the Senator from Vermont, if he has not seen it, that he glance at the substitute.

Mr. DALE. I have the protest; they sent a copy of it to me.

Mr. ROBINSON of Indiana. I am referring to the substitute.

Mr. DALE. Just a moment. The Civil Service Commission claims that it is absolutely essential that they keep these records just as they are now keeping them. With all due respect to the Civil Service Commission, I am wondering if they know—and I say this to the Senator from Connecticut in particular—I am wondering if they know what they do want.

Mr. BINGHAM. Mr. President, in reply to that suggestion, I should like to read a portion of a letter from Governor Campbell, the head of the Civil Service Commission, to the chairman of the Economy Committee in reply to a request as to how more money might be saved. It is to be found on page 8 of the hearings before the subcommittee of the Committee on Appropriations on the legislative establishment appropriation bill for 1933:

The large forces engaged on personnel work are needed chiefly because each department and establishment maintains complete service records of its employees.

Previously in the letter attention had been called to the fact that—

The total salaries of persons engaged exclusively on personnel work in the several departments and establishments in Washington, D. C., exceed \$800,000 a year. In addition, persons drawing a total of more than \$600,000 per annum, many of whom are high-salaried officers, are assigned to personnel work a portion of their time. Thus personnel administration in the departmental service in Washington costs approximately \$1,500,000 annually.

I read further from the letter:

The large forces engaged on personnel work are needed chiefly because each department and establishment maintains complete service records of its employees. These records are duplicated in the office of the United States Civil Service Commission. The elimination of duplications in personnel records would make for a substantial saving in personnel administration.

And a little further on the letter reads:

The commission recommends the enactment of legislation authorizing the transfer to its jurisdiction of the personnel work now performed in the several departments and establishments in Washington. Such legislation should provide that the personnel records be maintained in the several departments and establishments under the direction and authority of the commission; that the commission be empowered to designate for each department or office, as need is shown, a personnel representative and such assistants as may be necessary.

We adopted the suggestion made by the commission in so far as consolidation of the records is concerned, but placed

it under the heads of the departments, giving the commission access to the consolidated records. Apparently that was not satisfactory and led to the letter referred to by the Senator from Indiana and the Senator from Vermont. Now, after conference with the commission or one member of it, the Senator from New Mexico has prepared an amendment, which merely provides for the keeping of uniform records in all the departments under the general direction and supervision of the Civil Service Commission. It would seem to me that that carries out very nearly the original recommendation made to the committee by the commission.

Mr. DALE. Mr. President—

The VICE PRESIDENT. The time of the Senator from Vermont has expired. He has 15 minutes on the bill.

Mr. BRATTON. Mr. President, will the Senator yield to me to read him a letter received from the commission?

Mr. DALE. I will yield in just a moment. I should like to read at this point, in connection with what the Senator from Connecticut has said, a statement the commission made to me after all this took place:

The commission deals with an army of employees in the competitive classified service whose advancement, retention, or retirement depends upon their records as kept. Without these records the commission could not function.

Mr. BINGHAM. But there is nothing in the amendment that does away with keeping the records.

Mr. DALE. There is no question about that; but certainly, if the amendment should be adopted it would require the commission to get its information from at least 45 sources within the United States.

Mr. BINGHAM. They do that now.

Mr. DALE. In part they do that now, but the records of the Civil Service Commission are absolutely independent of the other records. If one goes to the commission and says, "Such a bureau has such a record of a man," the reply will be made by the commission, "We do not care what records that bureau or department has of him; this is the record we have of him."

Such records have been kept for half a century; they have been built up from year to year as the system has advanced. More than that—and this is an element that we have not touched upon at all—when the retirement system was adopted a few years ago the records of all employees who are retired are kept by the Civil Service Commission. Who is going to keep those records? Where are they going to get their information if we break up this whole system?

Mr. BRATTON. Mr. President, will the Senator yield to me in order that I may read a letter from the commission?

Mr. DALE. I have no objection to that; but, to be perfectly frank, I am in a mood that I do not care what the commission says, so far as I am personally concerned. However, I have no objection to the Senator reading what they say.

Mr. BRATTON. The Senator apparently raised the question a while ago as to whether the commission had drawn the substitute and furnished it to me.

Mr. DALE. Oh, no; I did not question that at all. I think they probably did do that, but they drew it after they had one view before them, and they got another view since they drew it. I do not understand that at all.

Mr. FESS. Mr. President, will the Senator yield?

The VICE PRESIDENT. The Senator from Vermont has yielded to the Senator from New Mexico.

Mr. FESS. I beg the Senator's pardon.

Mr. BRATTON. This letter reads as follows. It is not dated, but it came to me some two or three weeks ago:

May I not thank you for the friendly and sympathetic way in which you received our Mr. McAuliffe this morning. He explained to you the distress and difficulty which would result if section 14 to H. R. 13520, as proposed, should become law.

I am deeply interested in the proposal submitted by the commission, but I understand from Mr. McAuliffe that it did not receive the approval of the Economy Committee. During your conversation with Mr. McAuliffe you suggested that a substitute be submitted for section 14 of H. R. 13520. I am inclosing herewith such a proposal. I may add that at the present time the commission has no authority to develop uniform methods and forms for service records of employees. If such authority is granted, the com-



mission would be able to eliminate a good deal of the duplication in personnel records maintained by the several departments and establishments.

You might find it desirable to have available a substitute for the present section 14, and with this thought in mind I am inclosing the substitute as suggested by you.

With kind personal regards I am, sincerely yours,  
JESSIE DELL, Commissioner.

The Senator will note that under the statement made in this letter the departments do keep their records now.

Mr. DALE. Oh, yes. There is no question about that.

Mr. BRATTON. And all this amendment does is to permit a standard form for keeping those records.

Mr. DALE. There is not anything to prohibit that standard form now.

Mr. BRATTON. The commissioner says that under the present law the commission has no authority to prescribe those uniform records.

Mr. DALE. I think the Senator from New Mexico will agree with me, with just one glance at it, that it would be rather preposterous for a man to say that he had not any authority to make these records uniform. There is nothing to prohibit their being made uniform. I do not know that there will be any advantage in their being made uniform; but to say that legislation is necessary to make them uniform is rather ridiculous. I do not mean on the part of the Senator from New Mexico, of course.

Mr. BRATTON. Suppose the several departments did not accept the forms furnished them. There is nothing to compel the departments to do that.

Mr. DALE. There is nothing under this proposal to compel the departments to accept them.

Mr. BRATTON. Oh, yes. If they are authorized to provide those forms to be kept in the several departments, that does become mandatory.

Mr. DALE. There might be some possible advantage in that. If there is something in this proposal that would make it mandatory on the bureaus to answer in a certain way, there might be some virtue in that.

Mr. BRATTON. I have no doubt that that is what the amendment does.

Mr. FESS. Mr. President—

The VICE PRESIDENT. Does the Senator from Vermont yield to the Senator from Ohio?

Mr. DALE. I yield to the Senator from Ohio.

Mr. FESS. I was wondering whether the confusion did not arise out of the language of the original economy act, rather than that of the substitute.

Mr. DALE. I think it does.

Mr. FESS. Because I see that section 14 says:

Laws and regulations now in force providing for the keeping by the Civil Service Commission of personnel records of officers and employees of the several executive departments and independent establishments are hereby repealed.

That evidently would throw everything into repeal so far as the Civil Service Commission is concerned.

Mr. DALE. Mr. President, so far I can not see any particular reason for this drastic departure on the part of the Senate in respect to the question that is before us. The Civil Service Commission has gone on for half a century building up these records, and nobody has shown here that the commission has intelligently, to say the least, asked for any change. The only reason for this change that I have been able to obtain since I have been on the floor is that perhaps it will have some compelling force or influence over some bureau to answer in a certain way.

Unless there is some broader reason, some greater occasion for this change, had we not better let it alone until we find out where we are? I know from my experience with the civil service that in any way to change these records is a very dangerous policy. Here are 400,000 people who are dependent upon the way these records are kept, and nobody knows what may come out of it.

Mr. FESS. Mr. President, may I ask the Senator a question?

The VICE PRESIDENT. Does the Senator from Vermont further yield to the Senator from Ohio?

Mr. DALE. I do.

Mr. FESS. It is my opinion that if we have nothing to act upon except section 14 as written, that would be unwise, because all of this requirement is repealed, and then it is stated—

and hereafter such records shall be kept by the several executive departments and independent establishments.

But these records may be available.

Mr. DALE. What have we to act on, may I ask the Senator from Ohio? He says, "If we have not anything else to act on." What are we acting on?

Mr. FESS. The substitute.

Mr. DALE. We are acting on a substitute that, it is perfectly evident to anybody who hears this discussion, the Senate knows nothing about. There are not any two men who agree on what we are doing with the substitute. When we are in a position where we do not know what we are doing, I think we had better let the matter alone as it is now.

Mr. FESS. I think there is some basis for the Senator's remark.

Mr. DALE. Mr. President, I move that section 14, as amended, be stricken from the bill.

The VICE PRESIDENT. The question is on the amendment of the Senator from Vermont.

Mr. DALE. I make the point that there is not a quorum present.

The VICE PRESIDENT. The Senator from Vermont suggests the absence of a quorum. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Ashurst	Copeland	Kean	Robinson, Ind.
Austin	Costigan	Kendrick	Russell
Bailey	Couzens	Keyes	Schall
Bankhead	Cutting	King	Schuyler
Barbour	Dale	La Follette	Sheppard
Barkley	Davis	Lewis	Shipstead
Bingham	Dill	Logan	Smoot
Black	Fess	McGill	Steiwer
Blaine	Fletcher	McKellar	Tydings
Borah	Frazier	McNary	Vandenberg
Bratton	George	Metcalf	Wagner
Brookhart	Goldsborough	Moses	Walcott
Bulkeley	Gore	Neely	Walsh, Mass.
Bulow	Grammer	Norbeck	Walsh, Mont.
Byrnes	Hale	Nye	Watson
Capper	Harrison	Oddie	Wheeler
Caraway	Hastings	Pittman	White
Clark	Hatfield	Reed	
Connally	Hayden	Reynolds	
Coolidge	Johnson	Robinson, Ark.	

The VICE PRESIDENT. Seventy-seven Senators have answered to their names. A quorum is present. The question is upon the amendment of the Senator from Vermont [Mr. DALE], to strike out section 14, as amended.

Mr. ROBINSON of Arkansas. Mr. President, I have heard that during my temporary absence from the floor there was some discussion of the hour of adjournment.

I feel that the Senate ought to stay in session to-night and continue its work; and, so far as I am concerned, I am going to ask and urge that that be done.

I realize that it is sometimes inconvenient for Senators to stay here; but, as has already been pointed out, Senators leave the floor during the daytime. Controversial matters are passed over until their return. We make very little progress.

It is true we have made considerable progress on this bill to-day, but I think we ought to stay here and do the business of the country. I hope the Senator from Connecticut [Mr. BINGHAM] and the Senator from Nevada [Mr. ODDIE] and other Senators who are in charge of this bill will agree to that policy. Let us get this bill out of the way and get forward with the general work of the Senate.

I know there are a large number of Senators on the other side of the Chamber who are in sympathy with this policy, and I wish to say now that so far as I have any influence in this body we are going to speed up the work of this session. I am assured that the Senator from Oregon [Mr.

McNARY] is in sympathy with that proposal; and I hope we may demonstrate a capacity to act here, and diminish, as much as possible, irrelevant discussion.

Mr. ODDIE. Mr. President, while I was out of the Chamber a short while ago a discussion was had on this matter, and I think some tentative agreement was made. I hope, however, that the suggestion of the Senator from Arkansas can be carried out, and that the Senate will stay in session to-night. We will make much better progress if that is done, and will stand a good chance of getting through with this bill to-night.

The VICE PRESIDENT. The question is on the amendment of the Senator from Vermont.

Mr. REED. May the amendment be stated?

The VICE PRESIDENT. The amendment is to strike out section 14, as amended.

Mr. DALE. Mr. President, I thought some Senator called for the yeas and nays on this amendment. If not, I call for the yeas and nays.

The yeas and nays were ordered.

Mr. BYRNES. Mr. President, I would like to have the Chair state to the Senate what the question is. The question, as stated by the Senator from Vermont, is to strike out. As I understand, the question is on the motion of the Senator from Connecticut to adopt the section, as amended.

The VICE PRESIDENT. No; the motion is to strike out. Mr. BINGHAM. An amendment to the section was adopted, and then the Senator from Vermont moved to strike out all of section 14, as amended.

The VICE PRESIDENT. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BRATTON (when his name was called). I have a pair with the junior Senator from Nebraska [Mr. HOWELL], who is absent on official business of the Senate. I transfer that pair to the Senator from Louisiana [Mr. BROUSSARD] and vote "nay."

Mr. WATSON (when his name was called). In the absence of my general pair, the senior Senator from South Carolina [Mr. SMITH], I transfer my pair to the junior Senator from California [Mr. SHORTRIDGE] and vote "yea."

Mr. WHEELER (when his name was called). On this matter I have a general pair with the junior Senator from Idaho [Mr. THOMAS]. Not knowing how he would vote, I withhold my vote.

The roll call was concluded.

Mr. HATFIELD (after having voted in the affirmative). I have a general pair with the senior Senator from Oklahoma [Mr. THOMAS], and in his absence I withdraw my vote.

Mr. BARKLEY. On this question I have a pair with the Senator from Iowa [Mr. DICKINSON], but I understand that if present the Senator from Iowa would vote as I intend to vote. I vote "nay."

Mr. WAGNER. On this vote I am paired with the senior Senator from Missouri [Mr. PATTERSON], who is absent from Washington on account of a death in his family. I am not informed as to how that Senator would vote if he were present, and therefore I am not at liberty to vote.

Mr. BAILEY (after having voted in the negative). I am informed that my pair, the Senator from Rhode Island [Mr. HEBERT], is not present, and I transfer my pair to the junior Senator from Mississippi [Mr. STEPHENS] and allow my vote to stand.

Mr. FESS. I desire to announce the following general pairs:

The Senator from Wyoming [Mr. CAREY] with the Senator from Louisiana [Mr. LONG];

The Senator from Illinois [Mr. GLENN] with the Senator from Virginia [Mr. SWANSON]; and

The Senator from Delaware [Mr. TOWNSEND] with the Senator from Tennessee [Mr. McKELLAR].

Mr. SHEPPARD. I desire to announce that the Senator from Virginia [Mr. SWANSON], the Senator from Tennessee [Mr. HULL], the Senator from Texas [Mr. CONNALLY], the senior Senator from Florida [Mr. FLETCHER], and the junior

Senator from Florida [Mr. TRAMMELL] are detained from the Senate on official business.

The result was announced—yeas 39, nays 32, as follows:

#### YEAS—39

Austin	Frazier	Moses	Schuyler
Barbour	Goldsborough	Neely	Shipstead
Blaine	Grammer	Norbeck	Smoot
Brookhart	Hastings	Nye	Steiwer
Capper	Johnson	Oddie	Vandenberg
Copeland	Kean	Reed	Walcott
Costigan	Keyes	Reynolds	Walsh, Mass.
Dale	La Follette	Robinson, Ind.	Watson
Davis	McNary	Russell	White
Fess	Metcalf	Schall	

#### NAYS—32

Bailey	Bulow	George	Lewis
Bankhead	Byrnes	Glass	Logan
Barkley	Caraway	Gore	McGill
Bingham	Clark	Hale	Pittman
Black	Coolidge	Harrison	Robinson, Ark.
Borah	Couzens	Hayden	Sheppard
Bratton	Cutting	Kendrick	Tydings
Bulkley	Dill	King	Walsh, Mont.

#### NOT VOTING—25

Ashurst	Hatfield	Patterson	Townsend
Broussard	Hebert	Shortridge	Trammell
Carey	Howell	Smith	Wagner
Connally	Hull	Stephens	Wheeler
Dickinson	Long	Swanson	
Fletcher	McKellar	Thomas, Idaho	
Glenn	Norris	Thomas, Okla.	

So the amendment was agreed to.

#### CAMPAIGNING AGAINST GOVERNMENT WORKERS

Mr. CUTTING. Mr. President, I ask to have printed in the RECORD an article from the American Federationist, entitled "Campaigning Against Government Workers," by Mr. Richard W. Hogue.

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

#### CAMPAIGNING AGAINST GOVERNMENT WORKERS

By Richard W. Hogue, director Independent Legislation Bureau

Government service offers no opportunity for getting rich. To the large majority it offers only a modest livelihood, while requiring the capable performance of continuous, important, and exacting duties. It would be difficult to parallel in the business world the record of honest, faithful, and competent service that characterizes the carrying on of the business of the Government as a whole. This is true despite the fact that such service carries no such hope of financial reward as exists in the business world.

These facts should be given their just weight in considering the fairness, as well as the effects, of further reductions in the salaries and wages of Federal workers. They serve to emphasize the warning of competent economists and others who share the position taken by the president of the University of Wisconsin. Said President Glenn Frank in an address to 3,000 farm men and women:

"There is much blindness, blundering, and sheer insincerity in the almost hysterical campaign against public expenditures now sweeping the Nation. . . . Real economy will mean national salvation; bogus economy will mean national suicide. Indiscriminate Budget slashing may set us back socially for a generation."

Let us examine the facts about taxes, Government expenses, and Federal wages and salaries.

Eighty per cent of all Federal workers are civil-service employees. This means that they come to their jobs prepared by training, tested by examination, and free from the fears and the rewards of political patronage. Of these, 20 per cent received less than \$1,000 a year, while 55 per cent received less than \$1,500, even before the pay cut of last year. The average salary of all the Federal workers amounts to about \$1,400 a year.

The period of war-time prosperity created 20,000 new millionaires in the business world. How did it affect Federal Government workers? While commodity prices advanced 125 per cent from 1914 to 1920, Federal employees' salaries remained at the 1914 level. The relatively small bonus for 1917 to 1920 did not alter the salary level. During much of this period they did almost double duty. The cumulative loss to them and their families in these years has never been made up and never will be.

Two-thirds of all the government workers (including State and local) in the country are in the service and on the pay rolls of city, county, and State governments. Of the total cost of government, 70 per cent consists of the cost of local and State governments. In addition, about 9 per cent of the Federal Budget should be charged to the States, since it is spent on roads, harbors, buildings, flood control, and in other ways directly beneficial to States, counties, and towns. This leaves only 27 per cent to be charged to the Federal Government, of which less than one-fourth goes to salaries and wages.

Out of the budget of the Agricultural Department about 70 per cent goes to aid States in building public highways. The direct service rendered by this one department to States, counties, cities,



and the general public can not be fully calculated. Take just two illustrations: The untold benefit of the cure for the human disease of hookworm and the benefit to farmers from the cure of animal diseases. The discovery and development of a serum by this department reduced the loss from cholera among hogs by \$51,000,000. The direct benefits to farmers, the general public, and future generations that come from this single department of the Government can not be overestimated.

Only 10 per cent of Federal employees live in Washington. The salaries and wages of 90 per cent are spent in local and State communities. They are also taxed for the support of these communities. By reducing salaries still further you lower their purchasing power and reduce their tax-paying ability. You create a vicious circle that doesn't help the taxpayer, while it hurts the merchant and the general community.

What of the burden of military costs? What proportion of your taxes is consumed by war items in the Federal Budget?

Here is the crux of the whole subject of taxes so far as the Federal Government is concerned. Of the entire Federal Budget of four billion (which includes the post office deficit), over one billion interest and principal is paid out to owners of Liberty bonds and other Government securities, more than another billion goes to war veterans and beneficiaries, and over six hundred million to maintain military forces. That is, 72 per cent of the total 1932-33 Federal Budget is expended on war debts, war veterans, and war machinery.

Here then is the outstanding cause of the big Federal Budget. Add to this the fact that county, city, and State governments account for 70 per cent of all government costs, and the picture is complete.

The maintenance of the Federal Government does not constitute a tax burden on the general public. Far from it. Here are the facts. A part of the Government's support comes from the receipts of the post office, which is largely self-supporting. A considerable part (about 40 per cent) comes from internal revenue, customs, and miscellaneous revenue (such as tolls and profits of the Panama Canal). The largest percentage comes from income tax and profit taxes. About 97 per cent of the people pay no income tax. Real reduction of the tax burden of this 97 per cent can be obtained in only one way, through reduction of city, county, and State taxes.

These facts show that the claim that a further reduction in salaries and wages of Federal employees will reduce the taxes of the general public is without foundation. Yet the Members of Congress and the people at large are being bombarded with propaganda against the Federal Government and its employees. This propaganda is not only unfair to the Government but dangerous to the public. Its false representations and unsound claims should be met with the facts.

Banking, business, and industry have largely lost the confidence of the people. In the past 12 years 10,000 banks have failed. The great financial and business leaders have been helpless. They have appealed to the Government to save them and the country. It has responded by providing over \$2,000,000,000, largely through the Reconstruction Finance Corporation, in this depression period.

The Government alone stands to-day between the American people and complete ruin. Loss of confidence in its work, its workers, and its protective and service agencies is fraught with grave danger. To be willing to lose this confidence without attempting to know the facts is inexcusable. It is far worse to seek to destroy the confidence of others through misrepresenting the facts, deliberately and for selfish ends.

The organized forces that oppose the progress of organized labor have a high appreciation of the value of internal strife and divided counsels in the ranks of the workers. Though often concealed from sight, their weapons for inflicting the disharmony that serves their purposes have wrought frequent and deep damage.

Every effort must be made to counteract the propaganda that produces suspicion, dissension, and division among those whose job is their capital as distinguished from those whose capital is their only job. This propaganda has always been used to widen the gulf between unorganized and organized workers. Nowhere has it been more effectively used than in fostering a sense of "distinction" among professional and "white-collar" workers and among the so-called intelligentsia. Fortunately the eyes of many of these have been opened by the stock-market collapse and the subsequent deflation of business and industrial leaders. They have seen the temple of big business collapse and its mighty gods become supplicants for colossal doles from the Government.

While seeking relief themselves they are attacking the body of Government employees in every conceivable way. The attack is being led by such arch antilabor reactionaries as Merle Thorpe, of the Nation's Business, and Colonel McCormick, of the Chicago Tribune. The latter has published a book under the alarming title "The Sacking of America," in which Federal employees are denounced as "weasels" and "office-holding tyrants." Not the least of their hopes is to divert the workers in general from a united demand for far-reaching reforms by arousing prejudice and envy against the group of workers in the service of the Government. By doing this they hope to obscure the main cause of the present plight of the country, the concentration of wealth and power in the hands of the few. Above all, they seek to sidetrack the growing demand for the removal of this cause.

Banrupt farmers, unemployment, evictions, foreclosures, destitution, and despair among many millions—what are these com-

pared with a free field for exploitation and the regaining of wealth and power by the few? They and their class must first be saved by the Government and then saved from the Government. Over \$2,000,000,000 from the Government in the midst of the depression for the rehabilitation of banks and big business is not enough. They must be served further by being spared their just share of taxation. Aside from their evasion of existing tax laws in every conceivable way the laws themselves must be changed for their benefit.

One of the proposed changes is the shifting of taxes to the already overburdened general public. Another is the removal of Government control and regulation that they may be free to oppress the workers and gouge the public. They are even demanding the elimination of Government services essential to the protection, the health, and the living standards of the Nation. Another way is to reduce still further the wages of Federal employees and thus furnish an excuse for a general lowering of wages and living standards.

If they succeed in this, they can—and will—say to the workers of the country: "You can not expect industry to go beyond the example set by the United States Government. You can not accuse private business of exploitation when it is paying as much (no matter how little that is) as the Government itself is paying." They are trying to force the Government to set a lower standard in order to justify the lower standard they intend to impose. To this end they are seeking to use pressure on Congress by every group whom they can influence.

So much for the general situation. What are the actual facts about the cost of Government and the pay of its workers? What is the relation of these to the burden of taxation? What is their relation to the general good of the people as a whole?

What does the public good require? Surely not the deepening and prolonging of the depression through reducing still further the purchasing power of Federal workers. This would but serve to restrict trade and reduce employment still more with no correspondingly good effect on the state of the Treasury. It would be but a drop in the ocean, while working great personal hardship and reducing business activity to a lower level.

In normal times 80 per cent of the purchasing power that sustains the flow of trade comes from those with incomes of \$5,000 or less. So long as this purchasing power remains in its present depleted state, the depression will continue. It would be aggravated rather than relieved by a further lowering of the salaries and wages of the 732,460 Federal employees.

To reduce the present modest livelihoods of Federal workers would not help the impoverished farmers and industrial workers. To add to the number of those with diminished resources would be to add to the causes that help maintain the depression. The remedy for existing conditions lies elsewhere. As Senator WAGNER puts it, "It is time that as a Nation we stopped going round in circles and set our minds to the fact that we must by heroic action restore every breadwinner to self-respecting employment." Not by further depletion and deflation but by constructive measures for restoring consumption and employment is the way out.

Nor would it be a wise or helpful thing to curtail Government services that are vital to the well-being of the people. To lower the efficiency of the Government at such a time as this would be false economy. With business and industry crippled and the resources of millions of people either completely exhausted or greatly reduced, the ability of the Government to serve the public should be maintained at its highest.

We fully recognize the need of wise economy. Duplication, waste, and inefficiency should be eliminated. We also recognize the dangers of a false economy. Its effects are always injurious. They are particularly so at a time like the present. If a community is suffering because the purchasing power of a majority of its members is very low, it is no help to that community and its merchants to reduce the purchasing power of the remaining minority. Such a process is justified only as applied to abnormally high incomes, whose reduction would bring a more general distribution and circulation of money. This can not apply to the salaries and wages of Federal employees, which are as a whole very low.

#### ADDRESS OF HON. JAMES E. WATSON

Mr. FESS. Mr. President, I ask unanimous consent to insert in the RECORD a very eloquent address made over the radio by the senior Senator from Indiana [Mr. WATSON].

The PRESIDING OFFICER (Mr. COUZENS in the chair). Is there objection? The Chair hears none, and it is so ordered.

The address is as follows:

#### FAILURES OF THE DEMOCRATIC PARTY

As a result of the election on the 8th of last November, the Republican Party passed into the position of the minority party of the country. As such it has a duty to perform to the people, and it will faithfully and fearlessly discharge that duty.

It will not set up any smut machines or plant any mud batteries to besmear the incoming President, as did the Democratic Party upon the inauguration of the present President. We shall not sponsor any such campaign.

The leaders of the Republican Party believe that it should constructively criticize and not venomously attack the opposition. It owes an obligation to the people to point out the mistakes and hold up the errors of the party in power and to point the way



to a higher and a better and a more effective method of administration. That obligation we shall fearlessly discharge.

Every patriot hopes for the return of prosperity, and let it be understood once for all that if the Democratic Party can bring the country back to that happy condition, everybody in the Nation will rise up to call it blessed, and its future calling and election will be assured.

But that does not alter the relation of the minority party to the majority party or to the country, for just criticism is essential to call the attention of the people to the steps that are being taken and the progress that is being made from time to time in attempting the restoration of prosperity.

#### THE HOUSE DEMOCRATIC

Be it remembered that the House of Representatives became Democratic by the election in 1930 and that, beginning with December, 1931, that party has had a clear majority in that body, with JOHN N. GARNER as Speaker, and hence criticism of its action need not be leveled at the President elect but at the party which has had actual control in that body in which all revenue legislation must originate.

And, furthermore, it must be understood that the Senate is under the control of the Democratic Party and its allies, which for four years has operated a coalition that in the main has been able to control all legislative action in that body.

#### THE QUESTION PRESENTED

One month from to-day a Democratic President will be inaugurated and the Democratic Party will come into complete control of the Federal Government. The platform upon which the Democratic Party made its campaign contained many promises as to what the party would do in the event it were intrusted with the administration of our national affairs. That platform was indorsed by the presidential candidate in his speech of acceptance in the following unequivocal language:

"The platform which you have adopted is clear. I accept it 100 per cent."

The Democratic platform promises were supplemented by many made by the Democratic presidential candidate during the campaign.

After reflection upon those promises nearly 16,000,000 American citizens went to the polls and voted their lack of confidence in either the promises or the party making them, or both. Those 16,000,000 citizens constitute the rank and file of the Republican Party as it exists to-day—numerically the strongest minority party of American history.

The wisdom of their distrust of the Democratic Party has already been vindicated. Practically every act of the Democrats in Congress and Democratic leaders outside of Congress has proved the truth of the Republican Party's contention that the Democratic Party is unable to govern itself when confronted with the necessity of making decisions and presenting concrete, workable programs, and therefore unable to govern the country.

According to the Democratic platform the reasons for all the evils which afflict the American people are found in the policies of the Republican Party which that platform promised would be speedily changed if the Democrats were intrusted with power. Action was promised upon 38 different matters, affecting agriculture, labor, finance, business, veterans, economy, taxes, the tariff, and many other problems, and the need of haste was emphasized. The candidate himself still further stressed the necessity for speed in these words, uttered in his Baltimore speech:

"I am waging a war in this campaign, a frontal attack, an onset against the horsemen of delay of the Republican leadership. \* \* \* There is no time for delay. \* \* \* It is no time to wait when the prosperity and happiness of this country are at stake. And we of the Democratic Party will not wait."

People who voted the Democratic ticket therefore expected that there would be not the least delay upon the part of Democratic leaders in redeeming their campaign pledges. But no sooner had the polls closed than it was admitted that all the campaign oratory about a frontal attack against the "horsemen of delay of Republican leadership" was in large part just so much tall talk. There was to be no frontal attack at all, nor even a flank attack. Democratic leaders in Congress began maneuvering to prevent an extra session of Congress immediately after the inauguration. They wanted action delayed another whole year. They knew that they could not agree among themselves upon a legislative program. They knew that with the discordant elements within their own ranks they could not do the things for agriculture, labor, the taxpayer, "the forgotten man," that they had promised to do. They did not want to be brought face to face with their own campaign promises. They did not want the pledges of their platform and their candidate presented for payment.

This change of Democratic battle strategy from a frontal attack on the "horsemen of delay" to a policy of equivocation brought such a storm of protest from those who had voted the Democratic ticket in all sincerity that a conference of Democratic congressional leaders and the President elect was held. Out of this conference came the announcement of a face-saving program intended purely as a gesture to convince the public that there was some constructive ability yet remaining within the Democratic ranks. This program consisted of putting through this session of Congress measures which would balance the Budget, give agriculture some relief in the way of increased commodity prices, and the amendment of the Volstead Act so as to permit the manufacture and sale of wine and beer.

It was simultaneously announced that if this program, meager though it was, could be put through there would be no special

session, and even the pretense of an attempt to fulfill the Democratic campaign pledges would be abandoned for another year. As this would have brought the country to the eve of the next congressional campaign, the Democratic strategy undoubtedly was to warm over the 1932 promises for use again in 1934. But the strategy has failed, because the Democrats can not put through this session of Congress even their makeshift program. They have abandoned part of it and repudiated most of the remainder.

#### THE DEMOCRATIC ALIBI

And this leads me to remark that Democratic leaders are now making an attempt to alibi this fresh exhibition of the incapacity of their party by alleging that the failure of their program is due to the Republican "lame ducks" in this session of Congress. The only weakness in this alibi is the fact that this Congress is not controlled by Republican "lame ducks." It is a Democratic Congress. When it convened in December, 1931, the Democrats organized the present House, and they have increased their majority since then in by-elections. The Democrats dominate the Senate in this Congress.

It is known to all men that the straight-line Democrats in the Senate, plus those who openly supported the Democratic candidate for President and who have been making pilgrimages since the election to hold conferences with the President elect, constitute a comfortable working majority in the Senate to-day. There is not a single piece of legislation which, if agreed upon by the Democrats in the House and by the Democrats and their affiliates in the Senate, could not, and would not, be passed in this session of Congress if every Republican, lame duck or otherwise, voted against it. The Democratic Party and its spokesmen can not shift the blame for their failure to act to the shoulders of the Republican Party and the Republican administration.

#### THE BUDGET

The Democratic platform pledged the party to balance the Federal Budget. Two things are necessary to accomplish this purpose; a reduction of Federal expenditures and an increase in Federal taxes. The Democratic Party is pledged by its platform to "an immediate and drastic reduction of Government expenditures \* \* \* to accomplish a saving of not less than 25 per cent in the cost of Federal Government." The Democratic candidate for President repeatedly renewed that pledge. Such was the promise. What of the performance? Only last week a Democratic Senator introduced a resolution to refer appropriation bills back to their appropriate committees with instructions to cut them 25 per cent. This proposal to take seriously the economy promises of their platform and candidate threw the Democrats of the Senate into such consternation that their leader hurriedly called a party caucus to decide what to do. That caucus of Democratic Senators repudiated their party platform and refused to support the resolution. No lame-duck Republican attended that caucus or was responsible for that action, and that explicit resolution was withdrawn and another one far less pointed and certain was substituted in its place.

New taxes must be levied in order to balance the Budget. Under the Constitution tax bills must originate in the House. Early in the session Democratic leaders in that body agreed tentatively upon a tax program. The Democratic President elect immediately let it be known he did not approve the plan. Democratic leaders were thrown into confusion. A conference was hastily arranged between Democratic leaders of both Senate and House and the President elect at his New York home, in order that there might be some agreement upon a fiscal program for this session of Congress. Returning to Washington, the Democratic leaders gave out statements regarding the President elect's views on a proposed bill. The President elect immediately repudiated them. That increased Democratic confusion and rendered the situation well-nigh hopeless. Then followed the announcement by Democratic House leaders that they would abandon all efforts at this session of Congress to formulate and pass a tax bill. No Republican lame duck was responsible for that exhibition of the Democratic Party's inability to agree even upon such an important policy as a revenue measure.

The farm-allotment bill has gone much the same way. It began its legislative career advertised as embodying the ideas of the President elect and bearing his approval. After it passed the House it was announced by Democratic spokesmen that, at best, the President elect regarded the measure purely as an experiment and that, if passed at all, it should be limited to only one or two agricultural products. Thus damned with faint praise by the President elect and openly opposed by other Democrats, the relief bill promised the farmer this session in time to apply to his 1933 crops has all but been abandoned, and another Democratic campaign promise is scuttled by those making it. No lame-duck Republican is responsible for this.

#### PROMISE AND PERFORMANCE

Throughout the campaign the President elect continually expressed great solicitude for that more or less mythical individual whom he styled "the forgotten man." Both he and his party platform declared that the problem of major importance was the instant relief of the unemployed and the farmer. In his Baltimore speech upon the "horsemen of delay," to which I have already referred, the President elect said:

"It is no time for delay when nearly half our people can not purchase the bare necessities for their existence. It is no time for delay when 11,000,000 of honest, industrious, willing men and women are tramping the streets and roads of our country looking for work. \* \* \* And we of the Democratic Party will not wait."



Naturally, one would suppose the first subject to occupy the attention of the Democratic Congress when it convened immediately after the election would have been redeeming this outstanding pledge of the party and its candidate.

The record is different, however. With the convening of the Congress last December there took place a procedure without precedent, in fact, in violation of all the precedents of 144 years of the United States Congress. Immediately upon the convening of the House, before it had notified the Chief Executive that it had convened and was ready to receive any message from him or to transact business, before it had conformed to any other of the regular procedure which has marked the opening of Congress since 1789, the Democratic House machine under the whip and spur of its Speaker, the Vice President elect, rushed to the floor, under a special rule, a resolution for immediate consideration and vote. Did that resolution provide for some farm relief? Did it provide some measure or method of ameliorating the condition of those 11,000,000 idle men, so often referred to by the President elect as claiming his first attention? Did it provide relief and recognition for "the forgotten man"? None of these!

The Record shows that the thing uppermost in the minds of the Democratic leaders of that body, the thing which took precedence over farm relief, relief of unemployed, recognition of "the forgotten man," balancing of the Budget, reduction of public expenditures, and all the other problems which confront the Nation, was the outright and naked repeal of the eighteenth amendment, which would permit the return of the open saloon. In the minds of the present Democratic leadership that question overshadowed all other issues, of vastly more importance than all other problems before the American people.

The inexcusable violation of all congressional precedents and courtesies was excused by the Democratic leaders upon the ground that the platform had pledged itself to an immediate repeal of that amendment and they were, therefore, in duty bound to make an honest effort to carry out that platform pledge. But the platform also pledged "immediate and drastic" reduction of governmental expenditures, and no such effort was made by the Democratic Congress to redeem that pledge.

But, taking their alibi as the reason for their unprecedented action, what have they to say regarding their failure to redeem their platform pledge in reference to the repeal of the eighteenth amendment? Although every possible pressure was brought to bear upon the Democratic membership by the Democratic machine, the roll call showed the resolution failed of passage by 6 votes, because 44 Democrats refused to support it.

If only one-seventh of the Democrats who voted against this resolution had voted for it, it would have passed. If the Democrats from the State of Georgia, which the President elect in public address has characterized "my second home, my home in the Southland," who voted against the resolution had voted for it, it would have passed. If the Democrats from the State of Arkansas, the home of the minority leader of the Senate, had voted for the resolution, it would have passed.

So the one pledge of the Democratic platform, which by their own unprecedented action the Democratic leadership in Congress designated as the most important of all their pledges, failed of redemption because of their inability to control the membership of their own party. The blame for this can not be laid at the door of lame-duck Republicans.

#### OTHER PROMISES

The Democratic platform and candidate demanded (1) a lowering of our tariff walls, (2) an increase in our imports, and (3) a lowering of prices of manufactured commodities. All these things have come to pass, not through any action of this country, but because 80 per cent of the nations of the world, including the largest exporting countries, have abandoned the gold standard and depreciated the value of their currency.

Under our tariff system all imports are valued in terms of the currency of the country of their origin, and our tariff is computed on the basis of that foreign valuation. Depreciated foreign currency means a corresponding decrease in the declared value of imports. If that depreciation is 50 per cent, as it is in some countries, then the declared value of imports is 50 per cent less than formerly—although the quantity imported is no less. This automatically lowers our tariff walls the equivalent of the depreciation in the foreign country.

Because of this our people to-day are experiencing ideal Democratic tariff conditions. Our tariff walls have been lowered and the process is continuing. Our imports are increasing tremendously in quantity. Time forbids my going into detail upon this subject, but within a few days I expect to present, for the consideration of the United States Senate and the public, figures which will be startling.

The United States is literally being flooded with imports from countries with depreciated currencies. The consequences are appalling. Factories are being closed. Whole industries are being abandoned. Some are being forced into bankruptcy. Large numbers are being added to the ranks of the unemployed, and their families, constituting hundreds of thousands more, are being added to the ranks of those who must be supported by public charity.

Needless to add, that third hope of the Democrats, namely, lower prices for manufactured goods, has been realized.

The Democratic Party remains indifferent to these conditions. All tariff legislation must originate in the House of Representatives. Those in control of that Democratic legislative body have made no move to relieve the situation. Instead of initiating legislation to rectify these conditions and give employment to

American labor, the policy of the present Democratic Congress is to appropriate billions and issue Government bonds to take care of those who are forced out of employment by reason of imported goods. The Democratic policy is to throw Americans out of work in order to assist Europe and then add to the Federal taxes and the public debt in order to provide funds for Americans made the objects of charity by such a policy.

And permit me to further remark on this subject, which is of surpassing interest to the American people at this time, that, by a practically unanimous vote of the Republicans in the House, legislation has been demanded to correct this desperate situation, but up to the present time the Democratic majority has refused to act, and doubtless will continue so to refuse unless action is forced by the Republican majority, with the aid of a few Democrats who are willing to desert their party in order to save their constituents.

Not content with the disaster already wrought by the flood of imported goods, the President elect opened his campaign with the pledge that he intends to let Europe pay her debts to this Government in goods, rather than in cash. I quote from the first speech he made in his campaign, following his speech of acceptance. It was a carefully prepared analysis and interpretation of the Democratic platform delivered from his residence at Albany, N. Y., the evening of July 30, 1932:

"The (foreign) debts will not be a problem. We shall not have to cancel them if we are realistic about providing ways in which payment is possible through the profits arising from the rehabilitation of trade. . . . Our policy and platform declare for payment, but at the same time for lowered tariffs and resumption of trade, which opens the way for payment."

It has been the theme song of debt-cancellation advocates and low-tariff sponsors that Europe should be permitted to pay what she owes us in goods, which proposition the President elect has underwritten 100 per cent. It is reported that already negotiations have been opened by representatives of the incoming administration along these lines. Our European debtors are manufacturing countries. No one of them is an agricultural exporting country. Therefore, if they are permitted to pay us in goods, it will be in manufactured goods, and every article thus taken in payment will be sold in this market in displacement of a like article which could have been made by American industries.

How can vast quantities of imported goods relieve our unemployment in America? We can not buy what we are now producing at home. How, then, can we be expected to buy what would be imported from abroad under this Democratic policy?

If we buy articles made in Europe, it is manifest that we do not buy the same kind of articles made in America. How can this policy lessen the ranks of the unemployed or furnish work to those in idleness?

And yet it seems that the Democratic policy will continue to permit this vast volume of goods coming into our country from those nations that have gone off the gold standard to come in almost unhampered; not only that but to still further lower our tariff rates in order to permit foreign nations to sell their goods here that they may be enabled thereby to pay us what they owe us.

Such a policy can not fail to destroy utterly the remaining prosperity that we now have and place us still further at the mercy of our competitors where wages are paid from one-fourth to one-half those received in like institutions in America.

It does not seem possible that the Democratic Party can hold to that theory and yet it is their announced intention to do so.

Expressing my own conviction on this question, permit me to say that if the only solution of the problem of European debts is to permit their payment in goods—which would be done at the expense of American industry and American workmen—it were better to let our European debtors go to default and write off the whole amount to profit and loss and bitter experience.

#### THE NATIONAL CREDIT AND SOUND MONEY

The Democratic platform and candidate pledged the maintenance of the national credit, yet no more deadly assault upon our national credit could be made than the refusal of this Democratic Congress appreciably to reduce existing expenditures, or its refusal to provide increased revenue, plus its apparent determination to make a bad condition worse by increasing the public debt and the burden of Federal taxes by additional bond issues. The road the Democratic Party is traveling leads to national bankruptcy and incalculable disaster to all American interests.

#### ANOTHER ALIBI

Again the Democratic Party is attempting to alibi itself out of the present financial crisis by charging that the present deficit is the creation of the present Republican administration. My good friend, Senator PAT HARRISON, of Mississippi, gave utterance to this sentiment early last month in the following words:

"This isn't our mess. It was handed to us and we have got to take care of it, distasteful as it may be."

That genial Senator from Mississippi evidently forgets when he took the floor of the Senate in December, 1930, to protest in very great indignation against the statement of President Hoover warning Congress that the passage of appropriation bills then pending would result in financial embarrassment to the Federal Government, and that it would necessitate either an increase in taxes, an increase in bond issues, or an increase in the deficit. It was in this statement that President Hoover gave utterance to the observation that "prosperity can not be restored by raids upon the Public Treasury." It was this sentence which aroused the indignation of the Democrats in Congress and which caused the Senator from Mississippi to exclaim:



"We (the Democrats) propose to vote for such appropriations, large though they may be in the estimate of the President, as are required to meet this situation; and if increased taxes are necessary to do that, then let us have the courage and the statesmanship to meet the issue at that time."

And so the Democrats passed those appropriations. But now, when the time has come, which Senator HARRISON said would be met with courage and statesmanship, to devise increased taxes to wipe out the deficit, we find the Democratic leadership lacking either the courage or the statesmanship even to attempt to formulate a tax measure.

The deficit is upon us, due in no small measure to the vast expenditures of money provided in bills enacted by Congress under Democratic leadership. The Democratic leadership, when urging these appropriations, expected them to create a deficit. The chairman of the Democratic executive committee at that time was Mr. Jettett Shouse, and his organization dominated the policy of the Democratic Party during that period.

The record shows that as early as February, 1931, when President Hoover and the Republican leaders were protesting against the mounting appropriations urged by the Democrats and warning them that such a policy would result in an unprecedented deficit in the Federal Treasury, Mr. Shouse went on record in favor of all such appropriations, and stated that: "We should not be too much concerned over the possibility that there may be a deficit created in the Treasury."

The Democratic platform and candidate pledged "a sound currency system, to be preserved at all hazards," but only a few days ago exactly one-quarter of the Democratic membership of the United States Senate voted to destroy our present currency system by reviving the exploded doctrine of the free and unlimited coinage of silver and gold at the ratio of 16 to 1. Fortunately, there were enough votes in both parties opposed to this financial heresy to decisively defeat it in the Senate.

In all probability the next Congress, soon to be convened in special session, will be more Democratic than this one. It will contain more spendthrifts, more "pork-barrel" advocates, more advocates of running the Government by borrowing and going further in debt rather than by saving and getting out of debt, more enemies of sound currency, more foes of legitimate business, more advocates of "soaking the rich," more malcontents and more forces of disorder, more exponents of running the Government by experiment than along sound economic lines.

#### SOME NECESSARY CONDITIONS

And so if our Democratic friends are to bring about the restoration of prosperity in America they must have a more coherent organization than they have been able to make hitherto; they must quiet or quell factional strife within their own ranks; and, after all, they must have a fixed program of remedial legislation involving many phases of rehabilitation, and religiously stick to those things until they shall have been placed on the statute books.

The good of the country requires that they should be able to accomplish this great purpose, but they can not do it unless they are more coherently organized than they now are or manifest a stronger disposition to get together on certain fundamental principles of legislation that will not only restore but retain prosperity in America.

#### THE REPUBLICAN POSITION

Surely the political situation of the hour, plus that in immediate prospect, determines the duty of the Republican Party, which has stood for sound political and economic principles for three quarters of a century. They are sound, not because the Republican Party has advocated them, but the Republican Party has advocated them because they are sound—tested by time and the experience of this and other Governments. They must not be abandoned now. Defeat has not nullified them. Sixteen million people who supported the Republican Party last November did so because of their steadfast belief in those principles and their faith in the Republican Party as the advocate and practitioner of those principles. Those millions of Americans were right. They have not changed their opinion. They know the need for aggressive support and advocacy of those principles is greater now than at any previous time in our history since the Civil War. This is not an occasion to ground arms and fraternize with our political opponents. The greater the national emergency, the greater the need for militancy in behalf of those things that we sincerely believe out of experience are essential to our stability as a Nation and our welfare as a people. To abandon this position is to admit our insincerity as a party and our lack of concern for our country.

#### AMENDMENT OF THE EIGHTEENTH AMENDMENT (S. DOC. NO 181)

Mr. BARBOUR. Mr. President, I ask unanimous consent to have printed in the RECORD and made available as a public document, a letter to myself under date of January 19, from Judge William Clark, the senior judge of the United States District Court, District of New Jersey.

Judge Clark sets forth in a most convincing manner his contention and the legal reasons for it, for the submission to conventions in the several States and not the legislatures, of the matter of the ratification of any proposed amendment to the eighteenth amendment.

While I do not pretend that I could have expressed my views on this subject with the same conviction or authority

as does Judge Clark, I have always been of the opinion myself that ratification certainly should be by conventions and not through the medium of legislatures of the several States.

Especially because the author of the opinion is a nationally recognized authority on the subject, I am anxious to draw it to the attention of all the Members of the Congress and have it available for reference, especially at this time, when special study should be given to this all-important phase of this subject as it affects the amending of the eighteenth amendment.

Mr. ROBINSON of Arkansas. Mr. President, it is impossible to hear the proceedings.

The PRESIDING OFFICER (Mr. COUZENS in the chair). The Chair agrees with the Senator from Arkansas. The Chair was unable to hear the Senator from New Jersey. What was the request of the Senator from New Jersey?

Mr. BARBOUR. I ask unanimous consent to have printed in the RECORD and to be made available as a public document a letter to me from Judge William Clark, the senior Federal judge of the State of New Jersey, with respect to the opinion he has given me in writing favoring the submission of any amendment to the eighteenth amendment to conventions instead of to the legislatures of the several States.

Mr. SMOOT. Mr. President, I call the Senator's attention to the fact that it has been ruled in the past that documents may either be printed in the RECORD or printed as public documents but not both. What would the Senator prefer—to have it printed as a public document or in the RECORD?

Mr. BARBOUR. I would like to have it printed as a document.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

#### PRINTING OF PROCEEDINGS OF THE MEMORIAL SERVICES IN HONOR OF CALVIN COOLIDGE

Mr. WALSH of Massachusetts. Mr. President, I ask unanimous consent to submit to the Senate a concurrent resolution, and ask that it be printed in the RECORD and referred to the Committee on Printing. The resolution provides for the printing of the oration delivered by Chief Justice Arthur Prentice Rugg to-day at the Calvin Coolidge memorial services.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The concurrent resolution (S. Con. Res. 42) was referred to the Committee on Printing, and it is as follows:

*Resolved by the Senate (the House of Representatives concurring).* That there shall be compiled, printed with illustrations, and bound, as may be directed by the Joint Committee on Printing, 25,000 copies of the oration delivered by the Hon. Arthur P. Rugg in the House of Representatives during the exercises held in memory of the late President Calvin Coolidge on February 6, 1933, including all the proceedings and the program of exercises, of which 8,000 copies shall be for the use of the Senate and 17,000 copies for the use of the House of Representatives.

#### BUSINESS OF THE SESSION

Mr. ROBINSON of Arkansas. Mr. President, while the Senate was in complete disorder I am told that the Senator from Ohio [Mr. FESS] secured permission to have incorporated in the RECORD a radio address delivered by the Senator from Indiana [Mr. WARSON] Saturday evening.

Mr. FESS. That is correct.

Mr. ROBINSON of Arkansas. I have made effort throughout the day to obtain a copy of that address. I have asked that the author of the address supply me with a copy, and I have called for the speech since consent was given by the Senate to its incorporation in the RECORD, and have been unable to procure it.

It is not my intention to ask the Senate to reverse its action. Anyone must know that one who attempts to reply to a speech is at a disadvantage when he has had no opportunity to read the speech. There is, however, a summary, a brief Associated Press dispatch, published in the Washington Post of Sunday, February 5. Relying on the accuracy of that report I desire to say that the speech of the Senator



from Indiana [Mr. Watson], which has just been ordered printed in the RECORD, is as brazen a piece of political effrontery as has yet been produced by the bankrupt and lame-duck leadership of the Republican Party in this body.

The speech purports to be a criticism of the Democratic Party for its alleged inability to conduct the affairs of the Nation. As a matter of fact, it should not be regarded as a repudiation of Democratic activities. It is in fact, when analyzed, an indictment of the titular head and actual leader of the Republican Party, the President, and of the leadership in this body symbolized by the Senator from Indiana himself. It constitutes an effort to condemn the Democratic Party before the President elect has taken the oath of office, and that is poor political sportsmanship.

I am glad to say that the speech does not indicate the views of the entire Republican side of this Chamber, as there are many who sit across the aisle from me who are big enough and broad enough and brave enough to serve their country first during this great emergency and who are doing what they can to aid. Within the last few hours a large number of Republican Senators have indicated to me that they do not approve of, indorse, or acquiesce in the policy and practices of the Senator from Indiana [Mr. Watson]. His effort to hold responsible the Democratic Party for the failures of the political organization with which he is associated is an illustration of feeble and ineffective leadership which has marked the Hoover administration.

The speech, according to press reports, criticizes severely the House of Representatives. The Senator from Indiana has served in Congress for 30 years. He knows and the Senator from Ohio [Mr. Fess] knows that it is a breach of ethics to insert in the CONGRESSIONAL RECORD an attack on the body at the other end of the Capitol; but in order to serve their partisan end, in order to stimulate and encourage the factors and influences which are organizing and driving together to make the incoming Democratic administration a failure—and this for political advantage—they have deliberately disregarded the rule which controls the making of the RECORD in this body.

Since the issue has been made, let me take just a few minutes to show what has happened at the other end of the Capitol, where the Democratic Party is in power by a very small majority, and then let me point out what has happened in the Senate of the United States, where under the leadership of JAMES E. WATSON, of Indiana, the Republican Party is still in power.

The House of Representatives has passed all of the general appropriation bills save 4, and 1 of the 4 I am informed is about ready for passage.

Under the leadership of the Senator from Indiana and the Senator from Ohio the Republican Senate has passed one appropriation bill, the deficiency appropriation bill. It encountered a veto by the President and as finally passed over his veto carried in round numbers \$3,000,000.

Let the Senator from Indiana take his share of responsibility. Let him answer here why it is that although the House passed the Treasury and Post Office Departments appropriation bill and it was received by the Senate on December 16, within 11 days after this session of Congress convened, we are still debating the first large general appropriation bill in the Senate which is, as I have repeatedly said, controlled by the party of which the Senator from Indiana [Mr. Watson] is the leader.

Mr. BARKLEY. Mr. President—

The PRESIDING OFFICER. Does the Senator from Arkansas yield to the Senator from Kentucky?

Mr. ROBINSON of Arkansas. I yield.

Mr. BARKLEY. In view of the record of the Republican Senate, does not the Senator from Arkansas think that the deficiency bill is the most appropriate legislation we can enact?

Mr. ROBINSON of Arkansas. No deficiency bill can cover the deficiencies in legislation and administration with which the Senator from Indiana is so intimately associated.

The Interior Department appropriation bill passed the House and was received by the Senate December 30. The

Agricultural Department appropriation bill, having passed the House, was received by the Senate on January 3. The War Department appropriation bill passed the House and was received by the Senate on January 25. The State and Commerce Departments appropriation bill was received by the Senate on January 30.

Mr. REED. Mr. President, will the Senator yield?

Mr. ROBINSON of Arkansas. I yield.

Mr. REED. To make the record complete at that point, I would like to say that the War Department appropriation bill was reported this morning from the Appropriations Committee and is awaiting its turn on our calendar now.

Mr. ROBINSON of Arkansas. Yes; and under the leadership of the Senator from Indiana it may not receive consideration unless we speed up action here and, in spite of the organization which is in control of this body, secure action on these important appropriation bills.

The urgent deficiency appropriation bill came to the Senate on January 27 and was passed over the President's veto. The independent offices appropriation bill came to the Senate on February 4. Other bills are passing the House and coming here and we have taken action on but one small general appropriation bill.

That is the record with respect to the legislation indispensable to the functioning of the Government. It is a comparison of the record between one House of Congress controlled by the Democrats by a small majority, and this branch of Congress controlled by Republicans under the leadership of the Senator from Indiana, who has the assurance and the nerve to go before the country and seek to lay the blame on the Democratic Party for the failure to function of the Republican administration in power.

We all know that during the last few years every important measure that has passed this body—I see the Senator from Indiana in the Chamber now and I challenge him now to state if this is not the fact—all of the legislation enacted during the last session of Congress, without the exception of a single measure, was enacted by cooperation from this side of the Chamber. If that is not true let some one contradict it now.

The House has also voted on a resolution to repeal the eighteenth amendment, and by a narrow majority the resolution submitting the question of repeal was defeated. The House passed a long time ago a bill providing for a tax on beer. The House has passed a number of other very important measures, concerning which no action whatever has been taken by the Senate of the United States.

I respectfully submit that upon a comparison of the record of the two bodies, that body which is dominated by a small majority of Democrats has done much more business than has been transacted by this body under the leadership of the eminent Senator from Indiana. But that is characteristic of the methods that are being pursued. We all know that the Senator from Indiana has done nothing during this session to facilitate the enactment of legislation. His heavy hand is on the Senate now in an effort to defeat or to prevent the disposition of several appropriation bills. If we pass the appropriation bills and secure consideration of the resolution providing for a repeal of the eighteenth amendment, farm-relief legislation, destitution-relief legislation, and measures providing for the suspension of farm-mortgage foreclosures, if we get consideration of the beer bill, it will be through the cooperation of the Senator from Oregon [Mr. McNary], and those associated with him in this Chamber, with the membership of the Senate on this side of the Chamber.

Think of what it means when so experienced a politician as the Senator from Indiana admittedly must be seeks to hold the Democratic Party responsible for the failure to enact legislation during the period when his own party is in power in both the White House and in the Senate of the United States. Let the Senator from Indiana rave as he pleases. He can not escape a fair measure of responsibility for the delay that has occurred here.

Now, I am saying to my friends on this side of the Chamber, and to those on the other side of the Chamber who still



feel an interest in the fair functioning of our Government, that we must close ranks and advance together, and override and overrule the leadership of the Senator from Indiana, which more than any other one thing is responsible for the pitiable spectacle that the Senate has presented to the country in its failure and inability to legislate up to this date. Those who wish to see the honor of the Government maintained, those who are interested in working out the great problems which confront this Nation, must join hands and join efforts and must override and overrule those who, for political advancement and advantage, would seek to discredit the Senate of the United States and destroy the confidence of the people in their legislators.

Mr. WATSON. Mr. President, I am very sorry that my modest friend from Arkansas saw fit to characterize me and my conduct at a time during a portion of which I was out of the Chamber. I had no idea that he was going to respond to a speech I made over the radio which he has never read and has had no opportunity to read. But the latter part of his remarks I heard. He honors me overmuch. He gives me credit for power and influence that I do not possess and never have possessed; and, if I had it now, I would not wield it in the manner in which the honorable Senator has charged me with wielding it.

It will be news to the country to learn that the Republican Party is in power in the Senate of the United States. We have on this side a nominal majority of one; that is all we have had for four years; and nobody knows that better than does the honorable Senator from Arkansas, who was one of the manipulators of a coalition that for four years has exercised and wielded the power of the majority in the Senate of the United States.

The other day the Senator adverted to the fact that I had voted against cloture, as if he were the guardian of my conduct and the controller of my vote in the Senate of the United States. It was the first time during my service in this body that a Senator has risen to criticize and characterize another Senator for having voted in a certain way. But, passing that over, everybody knows—nobody knows better than does the Senator from Arkansas—that for four long years that coalition has controlled the action of this body, and during all that time the Senator, who with certain other Senators on this side organized that coalition and conducted it, had absolute control of a majority of the votes here. During the entire consideration of the tariff bill there was not one single time, except on the merits of the proposition, when the Republicans controlled the action of this body, and my friend from Arkansas knows that full well.

Mr. ROBINSON of Arkansas. Mr. President, will the Senator yield?

Mr. WATSON. I do.

Mr. ROBINSON of Arkansas. Does not the Senator know and will he not admit that since the beginning, or about the beginning of the period of the depression, he has received, and the administration has received, cordial support from this side of the Chamber in the passage of all emergency measures presented by the administration? Is that not true with respect to the Reconstruction Finance Corporation act? Is it not true with respect to the bill that the Senator from Indiana himself introduced, known as the home loan bank bill? Is there a single emergency relief measure presented by the Administration that was not passed through the assistance of Members on this side of the Chamber?

Mr. WATSON. There is not any doubt about that; nobody has denied that.

Mr. ROBINSON of Arkansas. Then, why does the Senator say that the Democrats in coalition with some one have controlled the Senate when the facts show that the coalition, if any, was with the group that he himself represented respecting these important measures of legislation of which I have spoken?

Mr. WATSON. The relief measures which we considered at the last session of Congress were passed by a union of

Republican votes and Democratic votes, and I stood on the floor two or three times and thanked the Democrats for their cooperation with the Republicans, regardless of political or partisan division, in support of those measures.

Mr. ROBINSON of Arkansas. Mr. President, will the Senator yield?

Mr. WATSON. Certainly.

Mr. ROBINSON of Arkansas. Then the Senator goes before the country and abuses them for inefficiency and incapacity.

Mr. WATSON. But, Mr. President, the fact is that during all that time my Democratic friends on the other side—and I love them all, and I am sorry I am going to separate from them in a little while—had no program of their own. They were drifting along without helm or rudder, without anybody to steer the ship. Our side brought in the affirmative propositions and Senators on the Democratic side supported them because they did not know what else to do. [Laughter.]

Mr. ROBINSON of Arkansas. Will the Senator yield?

Mr. WATSON. I yield.

Mr. ROBINSON of Arkansas. Does not the Senator think that that is an unjust statement, in view of the fact that no one could steer the ship of state except the President, who was at the helm representing the organization with which the Senator is allied? And does not the Senator know that from time to time we did present important amendments to all the bills which were offered and that in many instances they were adopted? The Senator is pursuing here the same course that he pursues before the country; while his party has a majority in the Senate, he is blaming us for not carrying out our own program. We hope we may have the opportunity of doing that when a Democratic administration comes into power; and while we regret very much personally to lose the presence of the Senator from Indiana, we sing "Praise God from whom all blessings flow" that his strong hand will not be here then to steer the ship of state—upon the rocks. [Laughter.]

Mr. WATSON. And I am entirely willing, Mr. President and Senators, to leave the control and guidance of the United States Senate to the tender ministrations of my genial and affable friend from Arkansas.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. WATSON. Certainly.

Mr. VANDENBERG. May I suggest to the Senator that on final analysis the abstract question of who controls the Senate is determined by votes and not speeches? I suggest when the Senator has concluded his observations that he move an executive session of the Senate to determine whether or not this Republican majority has sufficient votes to confirm Republican nominations sent here by a Republican President. It strikes me that that will settle better than any argument who controls the Senate. [Laughter.]

Mr. WATSON. That is a pretty good speech. [Laughter.] What does my friend from Arkansas say to that?

Mr. ROBINSON of Arkansas. Mr. President, I think that is one of the worst speeches that I have ever heard delivered in the Senate of the United States [laughter], and I am surprised at the source from which it comes. I am surprised that the Senator from Michigan would seek to make the fate of this Nation and the future happiness and prosperity of the American people depend upon the confirmation of a few discredited Republican politicians whose names are sent in at the last moment of extremity by the President of the United States in order to hold on just for a short time to a little more Federal patronage. The fate of this Nation does not depend upon Federal patronage.

But, in reply to the Senator from Michigan, we on this side of the Chamber and some fair-minded Senators on the other side of the Chamber do not intend to see Franklin D. Roosevelt's administration hamstrung through the influence of the Senator from Indiana by efforts to cause the confirmation of officers not in sympathy with the incoming administration. They have had their day; let them be content to give us a chance.

Mr. WATSON. Mr. President, if the fate of the Nation does not depend upon the confirmation of the few nominees,



why does not the Senator let us confirm them? Their confirmation could not possibly make any difference.

Mr. ROBINSON of Arkansas. Because we want in office those who are in sympathy with the policies and measures of the incoming administration; we feel that we are entitled to that; and we are following the example of the party which the Senator from Indiana has so long represented. He knows that when President Harding was elected all nominations were held up; and he knows that that is the history of the party with which he is associated.

Mr. WATSON. Mr. President, adverting now to the proposition of the control of the Senate, that is a matter to be determined by a vote upon any single proposition. As I said before, I stood here on the floor on several occasions and thanked my Democratic friends for the support they gave to policies which were advocated by the Republican administration.

The Senator from Arkansas well remembers that he was present at the meeting at the White House where those policies were outlined, where certain measures to be acted upon were agreed upon; and growing out of that conference, on the night of the 31st of August, as I remember, there came a series of bills into the Senate. They were sponsored originally by the President of the United States; they were introduced here by Republican Members of this body, except where it was agreed at the White House conference that they should be otherwise introduced; and, after being introduced and sponsored by Republicans, Democrats on the other side rose to their support because the country was in distress, because ours was the only voice that was seeking to lead them out of the wilderness, and our Democratic friends were kind enough to follow because they had not anywhere else to go and did not know what else to do. [Laughter.]

Mr. ROBINSON of Arkansas. Mr. President, will the Senator yield?

Mr. WATSON. I do.

Mr. ROBINSON of Arkansas. Mr. President, the Senator has just stated what was the policy and practice of the Democrats in this body throughout the period of the Hoover administration. He must realize that he is extending a poor reward when now, before the Democrats have come into power, he tries to convince the people of the country that we are responsible for his party's failure in the administration of the Government. We recognized that there must be some leadership; we accepted, so far as we could, the measures advanced by the administration; and now he rewards us for doing that by saying, in effect, that we did not have sense enough to do anything else. [Laughter.] Mr. President, I still think the Senator from Indiana has not shown a proper appreciation for the support which we gave to the administration measures.

Let me add this one further thought and then I will take my seat.

Mr. WATSON. I thank the Senator.

Mr. ROBINSON of Arkansas. The measures to which he has referred have not accomplished to the fullest extent the purposes for which they were passed and the results of those measures are nothing of which anyone should boast. Experience has shown that they could have been greatly improved, and we on this side must take our share of the responsibility for failing further to improve them. The Senator, however, can not escape his responsibility by laying upon us the blame for the failure of his own President and his own associates in this body.

Mr. WATSON. Mr. President—

The PRESIDING OFFICER. The Senator from Indiana has three minutes remaining.

Mr. WATSON. Is that all I have?

The PRESIDING OFFICER. That is all the time the Senator has remaining.

Mr. WATSON. That will not do me much good. May I not have 15 minutes on the bill?

The PRESIDING OFFICER. The Chair is advised the Senator has not spoken on the bill and he has, therefore, 15 minutes on the bill.

Mr. WATSON. Mr. President, whether or not the Senator from Arkansas refers to the Reconstruction Finance

Corporation bill as set up by the Hoover administration for the relief of the distress of the country I do not know, but the truth about it is that the President of the United States was magnanimous enough and generous enough and broad enough to put that corporation in the control of Democrats—former Senator Pomerene, of Ohio; Mr. Harvey C. Couch, of the Senator's own State; Mr. Jesse H. Jones, of Texas, all eminent men.

Mr. ROBINSON of Arkansas. May I ask the Senator why that was done, why Democrats were relied upon to administer the act?

Mr. WATSON. Well, Mr. President, I am not talking about that—

Mr. ROBINSON of Arkansas. If the Senator wishes to take credit for those measures, why does he seek to divest his party of the responsibility for their administration by having Democrats administer them?

Mr. WATSON. I am not doing so.

Mr. ROBINSON of Arkansas. Was it because he thought the Republicans did not have sense enough to administer them?

Mr. WATSON. No. Of course, ordinarily I do not want the President to appoint Democrats to any office, but the President of the United States talked to me about it, and I told him I thought it would be a fine policy for the country, for the Republican Party, and for the Democratic Party as well, to appoint Democrats to places of responsibility on the Reconstruction Finance Corporation. I knew that the actions of the board controlling that corporation would be criticized; I knew that the criticisms would come from the Democratic side, and I thought that if Democrats were in control it would be a mighty mean dog that would bite a member of its own family.

Mr. President, so much for that. Going back now for a moment to the previous session of Congress, the real truth about the matter is that we were very grateful to our Democratic friends for having supported the measures which we proposed. If they have failed, the Democrats are not responsible for their failure, nor are the Republicans. It is simply a question of the failure of the machinery set up to do a thing which might be regarded as well-nigh impossible in a time of stress and storm such as we are passing through at this time. What I had reference to in the address I delivered over the radio the other night, however, was what is happening right now in the Senate of the United States.

Who has taken up the time of the Senate at this session? The Senator can not charge to me that I have taken up the time. I have not made a single speech at this session of Congress.

Mr. ROBINSON of Arkansas. Mr. President, will the Senator yield?

Mr. WATSON. I yield.

Mr. ROBINSON of Arkansas. To-day, when a certain Senator who is present offered an amendment, I suggested to him that he rest the amendment with a very brief statement. He did so. Three Members from the other side of the Chamber, in my presence, came and urged him to make a speech. He declined to do it. His amendment carried.

Mr. WATSON. Mr. President, of course, I know nothing about that.

The Senator has said, referring to me in a sort of flattering way, I think, that my "heavy hand" was upon this situation. I knew nothing about the thing of which the Senator speaks. I have not done one solitary thing at this session of Congress to obstruct the passage of legislation. I am entirely willing that it shall proceed. I am entirely willing after bills, properly formulated, are brought before the Senate by the regularly constituted committees, that they shall be considered here in regular order and passed upon by this body, and at no time have I interposed any objection to any legislation that was pending.

Of course, I have not agreed at all times with what has been proposed. I have exercised my right as an individual Senator to vote against certain measures that were pending here, but I have in no sense obstructed the progress of legislation, nor do I intend to do so; and, Mr. President, I sin-

cerely hope—and I voice this sentiment publicly—that when the Democrats shall come into control they will be able to organize themselves for the purpose of considering great measures of legislation for the relief of the people to a greater degree than they have been able to do during this session of Congress, or even during the last.

Mr. ROBINSON of Arkansas. Mr. President, will the Senator yield?

Mr. WATSON. I yield.

Mr. ROBINSON of Arkansas. Will not the Senator also expand his hope so as to say, to a greater degree than he and his associates in control of this chamber have been able to do during this session and the last?

Mr. WATSON. Mr. President, at the long session of Congress, three years ago, with a majority of 9 votes and frequently of 11 votes really against us all the time, there were 15 major measures proposed for the consideration of the Senate. Fourteen of them went through. At the short session of Congress two years ago there were seven major measures presented to this body for its consideration, and every one of them was passed. We passed a greater number of appropriation bills, and for a larger sum, than was ever passed by any short session of Congress in the entire history of the Nation, including drought relief and flood relief and other measures of a kindred kind; and we completed that business four days before the 4th day of March in time for the session to adjourn. We did not know what to do for the last four days. That is the fact about the matter. There was a sufficiently coherent organization under proper leadership, I will say to my friend from Arkansas, to conduct the business of the Senate and to pass the required legislation. That is history that nobody can gainsay, and nobody can deny.

The truth is, so far as this session of the Congress is concerned, that our friends on the other side have not been able to agree upon important matters of legislation. I have called attention to that in order that they may be driven to a coherent organization; in order that when they come into full power they may so control themselves and their factional spirit as to be able to put through legislative measures that they believe will be for the best interests of the country and for the dearest concerns of the people.

Mr. FESS. Mr. President, will the Senator yield?

Mr. WATSON. I yield.

Mr. FESS. I was included in this terrible indictment a moment ago. I want to say to my Democratic friends, and especially to the Senator from Arkansas, they having been in the minority so long and standing on the side lines and criticizing what has been done on the majority side, that the tables are turning. If they think that by any sort of browbeating or indictment they can stop the criticism of the minority on this side as they have continued it for the last 12 years on the other side, they will have "another guess coming." We propose to criticize wherever it is legitimate. I want that understood from now on.

Mr. ROBINSON of Arkansas. Mr. President, will the Senator yield to permit me to ask him a question?

The PRESIDING OFFICER. Does the Senator from Indiana yield to the Senator from Arkansas?

Mr. WATSON. The Senator can answer in his own time. My time is about gone; and out of my 15 minutes the Senator took 13.

Mr. ROBINSON of Arkansas. I wanted the Senator to make good use of his time. [Laughter.]

Mr. WATSON. I think I have made a pretty good speech.

Mr. President, so far as mere partisanship is concerned, of course everybody knows what the duty of the majority party is. Everybody knows what the duty and the obligation of the minority party is. It is our business legitimately to criticize, being a minority party. We are a minority party in the Senate now, and everyone knows it. From this time on it will be the business of the Republican Party and its solemn duty to the people to point out the errors and to hold up to view the mistakes of the majority party, not for the purpose of destroying the majority party, but for

the purpose of calling the attention of the country to the weaknesses and the blunders and the errors and the mistakes of the majority party; for the purpose of showing that they have not the capacity to govern themselves and organize themselves, to say nothing about governing the affairs of this mighty Republic.

Going out of office now, as I am, I honestly hope as a patriotic American that the Democratic Party will be able to do the things which they promised in the campaign they would do. I most earnestly trust that under Democratic leadership we shall be able to get out of the doldrums in which the country has been drifting for the last year. I hope there will be enough leadership and enough statesmanship and enough organizing capacity in the ranks of the Democratic Party to lead us out of the bogs and up to the high lands of prosperity. But that does not deter me, and shall not, from pointing out the weaknesses nor from criticizing the failures of the Democratic Party, for that is a patriotic duty that every Republican will have to perform if he still believes in the principles and the policies of the Republican Party and if he has enough wisdom and sagacity to see the weakness and the errancy of the Democratic Party. Further than that I do not now go. Further than that I did not go in the remarks I made over the radio a few evenings ago.

I believe that the principles of the Republican Party are correct; I am fundamentally grounded in its ideals; and while we were swept out of power by an avalanche of votes on the 8th of November, I still have faith to believe that when prosperity shall return to the people of the United States it will be upon the old Republican highway upon which, with very rare exceptions, they have traveled for 70 years, from Abraham Lincoln down to the present time.

Senators, I have not time further to discuss these matters. Inasmuch as my good friend from Arkansas—who saw fit to reprove me while I was out of the Chamber—has not only challenged the leadership here but has asserted that we are in the majority in this body, I want now to test that claim. Therefore, I move that the Senate proceed to the consideration of executive business.

The PRESIDING OFFICER. The question is on the motion of the Senator from Indiana.

Mr. ROBINSON of Arkansas. I call for the yeas and nays.

The yeas and nays were ordered.

Mr. PITTMAN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll to ascertain the presence of a quorum.

The Chief Clerk called the roll, and the following Senators answered to their names:

Ashurst	Copeland	Hull	Reynolds
Austin	Costigan	Johnson	Robinson, Ark.
Bailey	Couzens	Kean	Robinson, Ind.
Bankhead	Cutting	Kendrick	Russell
Barbour	Dale	Keyes	Schall
Barkley	Davis	Kling	Schuyler
Bingham	Dickinson	La Follette	Sheppard
Black	Dill	Lewis	Smoot
Blaine	Fess	Logan	Steiwer
Borah	Fletcher	McGill	Trammell
Bratton	Frazier	McKellar	Tydings
Brookhart	George	McNary	Vandenberg
Bulkley	Goldsborough	Metcalf	Wagner
Bulow	Gore	Moses	Walcott
Byrnes	Grammer	Neely	Walsh, Mass.
Capper	Hale	Norbeck	Walsh, Mont.
Caraway	Harrison	Nye	Watson
Clark	Hastings	Oddie	Wheeler
Connally	Hatfield	Pittman	White
Coolidge	Hayden	Reed	

The PRESIDING OFFICER. Seventy-nine Senators having answered to their names, there is a quorum present. The yeas and nays have been ordered on the motion of the Senator from Indiana that the Senate proceed to the consideration of executive business, and the clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. BRATTON (when his name was called). I have a pair with the junior Senator from Nebraska [Mr. HOWELL]. In his absence, I withhold my vote. If permitted to vote, I should vote "nay."

Mr. HATFIELD (when his name was called). I have a general pair with the senior Senator from Oklahoma [Mr.



THOMAS]. In his absence, I withhold my vote. If permitted to vote, I would vote "yea."

Mr. ROBINSON of Indiana (when his name was called). I have a general pair with the junior Senator from Mississippi [Mr. STEPHENS]. In his absence, I withhold my vote. If permitted to vote, I would vote "yea."

Mr. WAGNER (when his name was called). I have a general pair with the senior Senator from Missouri [Mr. PATTERSON]. I am informed that if he were present he would vote "yea." If I were permitted to vote, I should vote "nay."

Mr. WATSON (when his name was called). I transfer my pair with the senior Senator from South Carolina [Mr. SMITH] to the junior Senator from California [Mr. SHORTRIDGE] and vote "yea."

Mr. WHEELER (when his name was called). On this vote I have a general pair with the junior Senator from Idaho [Mr. THOMAS]. I understand that if he were present he would vote "yea," and if I were permitted to vote, I should vote "nay."

The roll call was concluded.

Mr. MOSES (after having voted in the affirmative). I have a general pair with the senior Senator from Louisiana [Mr. BROUSSARD]. That Senator being absent from the Senate, and I being unable to obtain a transfer, I withdraw my vote.

Mr. FESS. I desire to announce the following general pairs:

The Senator from Wyoming [Mr. CAREY] with the Senator from Louisiana [Mr. LONG]; and

The Senator from Illinois [Mr. GLENN] with the Senator from Virginia [Mr. SWANSON].

Mr. McKELLAR (after having voted in the negative). Has the junior Senator from Delaware [Mr. TOWNSEND] voted?

The PRESIDING OFFICER. That Senator has not voted.

Mr. McKELLAR. I have a general pair with the junior Senator from Delaware [Mr. TOWNSEND], and I am unable to get a transfer, and therefore withdraw my vote.

Mr. BAILEY. I desire to have the RECORD show that were I permitted to vote, I would vote "nay." I am not permitted to vote, being paired with the Senator from Rhode Island [Mr. HEBERT].

The result was announced—yeas 31, nays 41, as follows:

#### YEAS—31

Austin	Fess	Keyes	Schuyler
Barbour	Frazier	McNary	Smoot
Bingham	Goldsborough	Metcalf	Steiner
Capper	Grammer	Norbeck	Vandenberg
Couzens	Hale	Nye	Walcott
Dale	Hastings	Oddie	Watson
Davis	Johnson	Reed	White
Dickinson	Kean	Schall	

#### NAYS—41

Ashurst	Clark	Harrison	Reynolds
Bankhead	Connally	Hayden	Robinson, Ark.
Barkley	Coolidge	Hull	Russell
Black	Copeland	Kendrick	Sheppard
Blaine	Costigan	King	Trammell
Borah	Cutting	La Follette	Tydings
Brookhart	Dill	Lewis	Walsh, Mass.
Bulkeley	Fletcher	Logan	Walsh, Mont.
Bulow	George	McGill	
Byrnes	Glass	Neely	
Caraway	Gore	Pittman	

#### NOT VOTING—24

Bailey	Hebert	Patterson	Swanson
Bratton	Howell	Robinson, Ind.	Thomas, Idaho
Broussard	Long	Shipstead	Thomas, Okla.
Carey	McKellar	Shortridge	Townsend
Glenn	Moses	Smith	Wagner
Hatfield	Norris	Stephens	Wheeler

So the Senate refused to proceed to the consideration of executive business.

Mr. HALE. Mr. President, as chairman of the Committee on Appropriations, I want to say a word about the appropriation situation. The senior Senator from Arkansas [Mr. ROBINSON] has implied that the delay in the passage of appropriation bills is due to some action or lack of action on the part of Senators on this side of the Chamber.

The situation is as follows: With the exception of the first deficiency bill, which came over to the Senate and was finally passed, and was then vetoed by the President and

later passed with an amendment, the first appropriation bill to come over from the House was the Treasury and Post Office appropriation bill. That came to the Senate on December 16, 1932.

Mr. President, in the Treasury and Post Office appropriation bill were certain economy provisions which, when the bill came to the Senate, were submitted to the subcommittee on economy of the Committee on Appropriations, and they were considered by that subcommittee. The subcommittee held long hearings, both while we were in session in December and during the Christmas holidays, and when we returned they finally made their report, and the bill was reported to the Senate on January 9, 1933.

At that time the Glass bill was before the Senate and was kept under consideration for more than two weeks, and the Senator from Arkansas knows that the Democratic membership of the Senate were very anxious to get action on that bill, I think quite properly. Be that as it may, we were not able to take up the Treasury and Post Office appropriation bill until January 25. Since that time the bill has been continuously before this body.

A week or more ago I made an appeal to the Senate for haste in the passing of that bill and the other appropriation bills. I stated to the Senate that I thought we ought to get all of the appropriation bills out of the way at this session in order that the Democrats at the extra session which was to come might have a clear field to take up matters of importance without being impeded by appropriation bills.

Mr. President, my plea was somewhat in vain. Since I made it, the bulk of the time in the consideration of the pending appropriation bill has been taken up by the other side of the chamber, and the same, I may say, was true when the Glass bill was before the Senate. Nearly all of the time since Congress has been in session has been taken up by the Democratic side and not by the Republicans.

I want to see haste in the consideration of these bills, and I am glad that the Democratic management is going to try to help secure haste, I think we can still get the appropriation bills through before March 4 if we apply ourselves diligently to the task and do not consume too much time in debate.

Mr. VANDENBERG. Mr. President, I have no desire to prolong this particular discussion, because the country is interested in legislative results and not in irrelevant politics. But, inasmuch as it was my suggestion which brought the motion for an executive session, I want to make this brief comment in respect to the significant outcome of that eloquent roll call.

I cordially agree with the able Senator from Arkansas that the welfare of the Nation does not turn in any degree upon an executive session of the Senate in which postmasters shall or shall not be confirmed. But that is not the point in respect to this particular demonstration. If there is one criterion more than another which demonstrates where the control lies in this Senate, it is at the point where the parliamentary procedure reaches the determination upon confirmations of executive nominations. I want the country to know and to realize precisely where control in this session resides. It is not identified by political speeches. It is identified by votes, and this roll call leaves the identification beyond further cavil.

At the beginning of this session the Democratic caucus, evidently knowing itself to be the actual control of the Senate, pronounced the ruthless partisan ultimatum that there should be no confirmation of any Republican presidential nominee whose term shall run beyond the 4th of March. They have implacably sustained and incorrigibly defended that ultimatum from the first week in December to the present moment. They similarly will continue to defend it beyond any peradventure until the 4th of March. We have just called the roll upon another effort to go into executive session, which is the parliamentary step preceding the consideration of nominations. The Republican side has been defeated by a vote of 31 to 41.

I make no point of the executive session itself nor of the importance of confirming nominations. It is relatively in-

consequential. I do make point of the fact that the Senator from Arkansas is not entitled to lay an indictment against this Republican side of the aisle in respect to Republican responsibility for what here occurs when in the face of every demonstration the control does not lie upon this side of the aisle, whether it lies upon the other side of the aisle or not. We have just made another demonstration of that fact. If there is control, it is Democratic control, and no amount of oratory can successfully avoid this responsibility.

Mr. BARKLEY. Mr. President—

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Kentucky?

Mr. VANDENBERG. I do not yield at the moment. I shall be glad to yield when I shall have concluded.

The Republican control is theory and nothing but theory. It is shadow and not substance. Everybody here knows it and everybody in the country ought to know it. Therefore there is no fairness or equity in any such indictment as the able Senator from Arkansas lays against us. For this reason it was worth while to call the roll and make the demonstration. It ends the argument.

Mr. President, for the future it seems to me that the Congressional situation calls for a minimum of politics and a maximum of coalition in the interest of effective net results for America. Let Democratic spokesmen share in this admonition. So far as I am concerned, I reserve for myself the right to oppose relentlessly any Democratic policy which it seems to me is in contravention of the best welfare of the Nation. But in so far as it lies within my individual power to cooperate for progressive advantage in legislation to meet the situation in which the country finds itself, I am prepared to forward march without respect to partisan politics or partisan strategy, and I am perfectly confident that this represents the majority view upon this Republican side of the aisle. The Senator from Ohio [Mr. FESS] has well said that it is not only our privilege but it is our function to reserve a courageous right of criticism when the situation requires it. But in the absence of any evidence of a resort to petty partisanship on our part, I suggest that it would be well for Democratic authority upon this floor to withhold any further suggestion that we upon this side of the aisle are in adverse control of the Senate and are responsible for things for which we are not responsible at all.

Mr. BINGHAM. I hope, now that we have rested ourselves by spending an hour and a quarter in having a little friendly festival of a critical nature, that the clerk may report the next amendment on page 79 of the pending appropriation bill.

Mr. ODDIE. Mr. President, will the Senator from Connecticut yield for a minute before he insists upon that?

Mr. BINGHAM. I yield the floor.

Mr. BORAH, Mr. ODDIE, and others addressed the Chair.

The PRESIDING OFFICER. The Senator from Idaho is recognized.

Mr. BORAH. Does the Senator from Nevada wish to talk on the matter upon which we have been wasting time?

Mr. ODDIE. I wish to make a very brief statement on a matter which is in a measure a reflection upon me personally.

Mr. BORAH. It has been demonstrated for three weeks or a month that no one has control of the Senate. Why waste time here between parties?

Mr. ODDIE. Mr. President, the question I am about to discuss for one minute will not be a waste of time, and any Senator on the floor should have the privilege of refuting an indictment against himself.

Mr. ROBINSON of Arkansas. Mr. President, will the Senator from Nevada yield?

Mr. ODDIE. Certainly.

Mr. ROBINSON of Arkansas. If the Senator is replying to my remarks, I made no reference to the Senator from Nevada. I think he has been diligent in trying to secure action on the bill and I commend him for it.

Mr. ODDIE. I know the Senator has not meant anything like a personal reflection on me, but as I have had charge of the appropriation bill and as this question has arisen, I

think it is only right for me to say that I have done my very best to get the bill before the Senate and to hold it there and to get prompt action on it.

When the bill was brought to the Senate on the 9th of January, the Glass banking bill was before the Senate. I had a right to bring up this appropriation bill at that time, because it was a privileged matter. I discussed the matter with several Senators on the other side of the Chamber. They felt that we should give the Glass banking bill an opportunity to be passed. I agreed with them. I felt that that bill was so important that we should bend every energy toward having it passed. The appropriation bill was brought up on the floor of the Senate finally on the 25th of January, after the Glass banking bill had been disposed of. Since then I have stayed on the floor of the Senate almost constantly. I have done everything I could to get the bill through without delay. On last Friday I asked for a night session and we remained in session until 10 o'clock. A great deal of splendid progress was made that night. I have agreed that to-night we shall remain in session until 10 o'clock. I have done my very best to hold the bill before the Senate and to expedite its passage, and I hope that the bill will be passed now in very short order.

Mr. GORE. Mr. President, I am inclined to agree with the able Senator from Nevada [Mr. ODDIE]. I am inclined to think the motion made by the Senator from Indiana [Mr. WATSON] was another mistake of the kind which has more or less characterized recent history on that side of the Chamber.

Thirty-six States have but recently ratified the twentieth amendment to the Constitution of the United States, the so-called lame-duck amendment designed to prevent Congress from legislating after popular approval has been withdrawn. Pending upon the Executive Calendar are a great many appointments which might be characterized as lame-duck appointments. The States of the Union, however, in the most solemn manner prescribed by the Constitution, have registered public opinion and the popular will of the people of the United States. The motion just made by the Senator from Indiana was in defiance of that expressed popular judgment. It is not strange that Senators on the other side, many of them, should respect this expression of public opinion, should refuse to go into executive session, and should refuse to ratify what we may still call lame-duck appointments.

#### PROTECTION OF AMERICAN SEAMEN

Mr. FLETCHER. Mr. President, I ask unanimous consent to have printed in the RECORD an editorial from the Washington Post of to-day, entitled "Protect American Seamen." I think the editorial is interesting and timely, and it relates to an important subject.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Washington Post, February 6, 1933]

#### PROTECT AMERICAN SEAMEN

Congress has refused to cripple the American merchant marine by eliminating the fund for carrying ocean mail. Senator McKELLAR's motion to cut this fund failed in the Senate. Congress insists that an adequate merchant marine shall be maintained to carry American commerce and to serve as an auxiliary to the Navy in times of national emergency. Yet Congress persists in its neglect of American seamen.

Americans can not afford to work for the wages that are paid to foreigners. Hence, there is a great temptation for American shipowners to employ Oriental crews, so far as the law permits. Chinese are imported to serve on American ships, in spite of the unemployment of American seamen. Obviously it is a farce to allow Chinese seamen to hold jobs on American ships that are built at a heavy expense to taxpayers for the purpose of enhancing the national defense. One of the primary purposes of the merchant marine act is to train American seamen.

Another aspect of this situation deserves attention because of the urgent need for protecting American labor. A large number of alien seamen are smuggled into the United States. They frequently pay large sum to serve as seamen, because when their vessel arrives in an American port they are permitted to land and disappear. Under the immigration laws they could not enter the United States as immigrants. But when they enter as seamen there is no way of dealing with them, except by deportation. Only a small portion of the aliens thus smuggled into the United States are detected and deported.



On several occasions the Senate has passed a bill to prevent this illegal entry of aliens disguised as seamen, but the House seems indifferent to it. This measure now awaits action of the lower chamber; and unless it is passed before March 4, it will have to go through the entire legislative process again. By all means it should pass. Shipping interests that are interested in retaining ocean mail contracts would do well to withdraw their opposition to this bill, to avoid further questioning as to their right to mail contracts.

#### CALVIN COOLIDGE AND DWIGHT W. MORROW

Mr. HATFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an article appearing in the Parkersburg (W. Va.) Sentinel, on January 11, 1933, "as told to Charles Brooks Smith by John Marshall," formerly Assistant Attorney General in the Coolidge administration. The article has reference to the late President Calvin Coolidge and our late lamented colleague, former Senator Dwight W. Morrow, of New Jersey.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

#### TWO FRIENDS PASS ON

As told to Charles Brooks Smith by John Marshall

The end of the earthly lives of Calvin Coolidge and Dwight W. Morrow was in suddenness and aloneness so alike as to recall to mind their remarkable friendship.

It suggested the appropriateness of an article telling of this remarkable friendship which began at college and reached its climax on the stage of public life, both principal actors in a great dramatic era of the country's history; both bathed in the light which beats upon the White House and—at that time—upon the thrones of Old World emperors and kings; both men famous world-wide.

Happily, we knew of just the man who could, if he would, furnish authentic material for such a sketch as we wished to print. He was an intimate friend of Mr. Morrow; and a frequent associate, because of his duties as Assistant Attorney General of the United States, of President Calvin Coolidge.

And so we went to Mr. John Marshall, a former resident of Parkersburg, W. Va., now prominent in the legal profession here. He thought that an article along the lines suggested would be most appropriate and he cheerfully agreed to talk of the friendship of these two great men. He related facts and incidents most interesting, and many of them printed for the first time herein.

#### COLLEGE CHUMS

"Stories have been published respecting the class vote at Amherst," said Mr. Marshall, beginning, "in which each voted for the other as the man most likely to succeed in life. The world likewise knows that President Coolidge appointed Mr. Morrow chairman of the aviation inquiry and later ambassador to Mexico, but many facts in connection with their long-continued friendship have never been published.

"For example, the nomination of Mr. Coolidge for Vice President is generally ascribed to a delegate from Oregon as standing on a chair and presenting his name to the convention. That is only part of the story.

"Some months before the convention, Mr. Morrow organized a small group of friends and admirers of Mr. Coolidge, looking to the presentation of his name before the convention as a candidate for President. Perhaps the most effective thing that was done as a result of this effort was the publication of a book which Mr. Morrow financed, but which he had published as a gift from their class.

"This book, which was entitled 'Have Faith in Massachusetts,' largely a compilation of Coolidge speeches, was placed in the hands of every delegate to the convention by a friend. The efforts to secure votes for his nomination for President met with slight success, but the book made a profound impression.

#### THAT ONE WEST VIRGINIA VOTE

"I am sure it influenced our Mr. Joseph Holt Gaines to vote for Mr. Coolidge to be the party's nominee for President.

"The outstanding figure in the Massachusetts delegation was the late Senator Henry Cabot Lodge, who was not at all favorable. Mr. Morrow had enlisted the interest of former Senator Murray Crane, but Senator Crane was never persuaded of the probability of Governor Coolidge's nomination. He afterwards told Mr. Morrow that had he realized the temper of the convention he thought that the nomination might have been secured.

"In any event, there was considerable sentiment in the convention for Mr. Coolidge, with the result that when his name was presented for the Vice Presidency he was overwhelmingly nominated. By chance, I was the person who informed Mr. Morrow of the action of the convention, because he and other friends had left after the presidential nomination. Mr. Morrow was not at all certain that Governor Coolidge would accept the nomination, but he immediately telephoned him and found that he regarded it as a call to service.

#### COOLIDGE SHOWED NO INTEREST

"After the death of President Harding and Mr. Coolidge's succession to the Presidency, for many months no one could ascertain the feeling of the President with respect to his candidacy to suc-

ceed himself. Unquestionably there was considerable opposition among prominent politicians to his nomination.

"Finally, as the time became short, Mr. Morrow, Mr. Hilles, Mr. Stearns, and other friends agreed that his name should be offered to the country, and Mr. William M. Butler was selected as chairman of the voluntary committee to promote his candidacy. All this was done without Mr. Coolidge himself having shown the slightest interest or concern in the matter.

"For several years after President Coolidge had occupied the office of President, Mr. Morrow continued with his business and private matters and had little to do with affairs of government. It is true that on occasion President Coolidge consulted him, but so had other Presidents, and it is accurate to say that up until the time Mr. Morrow was appointed ambassador to Mexico, he had had less to do with the affairs of government at Washington than he had had in at least one previous administration and the succeeding administration of President Hoover.

"Many people during this period speculated as to the reason. It is certain that it was not because of any lack of faith or confidence on the part of President Coolidge in Mr. Morrow, and certainly during this period Mr. Morrow continued to entertain the greatest admiration for and to enjoy a rare friendship with the President.

"One theory was that President Coolidge felt that Mr. Morrow's greatest usefulness to the country could be served by continuance of his leadership in the financial world. Another theory was that President Coolidge felt that Mr. Morrow would be met with bitter opposition on confirmation, that the country regarded him largely as a partner in a great international banking concern, did not understand his zeal for public service, and did not envision his complete separation from the interests which he served.

#### NO ONE KNOWS

"I do not know, and I am satisfied no one else knows, why President Coolidge did not avail himself earlier of Mr. Morrow's services. The following unpublished fact, however, is true.

"When reports became current in Washington that Secretary Kellogg was contemplating resigning from the Cabinet, a number of names were suggested as his probable successor, among others that of Mr. Morrow. About this time a friend of Senator BORAH's told me that Senator BORAH, chairman of the Foreign Relations Committee, and whose committee dealt primarily with confirmations of this post, was more favorable to Mr. Morrow's selection than to any person suggested.

"I, in turn, relayed this information to Senator Edge, from Mr. Morrow's State, and to Senator Goff, of our State, where Mr. Morrow was born. They carried this information to the President and reported that he seemed surprised to learn of this attitude of Senator BORAH. Secretary Kellogg, however, did not resign.

"Some months later President Coolidge announced the appointment of Mr. Morrow as ambassador to Mexico. This was generally supposed to have been the primary selection of President Coolidge. It is not the fact. Within the last month Secretary Kellogg related to me that he had suggested Mr. Morrow's appointment, and that the President had expressed a doubt as to Mr. Morrow's acceptance.

"When his name was sent to the Senate, however, it found Senator BORAH enthusiastic, as predicted, and practically no opposition on the part of any Senator to his confirmation.

#### CALL TO THE PHONE

"When Mr. Morrow was called on the long-distance telephone by the Governor of New Jersey and offered the appointment of Senator, President Coolidge's term had expired. Later, when Mr. Morrow came to New York on his way to the London conference, President Coolidge asked him to spend the night with him at the Vanderbilt Hotel in New York.

"On this occasion President Coolidge offered him some advice as a candidate. He was not enthusiastic about Mr. Morrow going to the Senate; but finding he had determined to be a candidate, he made several suggestions. One which amused Mr. Morrow very much was his injunction not to make any speeches.

"Go around and meet people," said President Coolidge, "and shake hands with them. People seem to like to shake hands. I never have understood why."

"While Mr. Morrow was in London attending the conference, it became so prolonged that he seriously debated whether he should not withdraw as a candidate for the Senate. He discussed this matter with Ambassador Dawes and others and Ambassador Dawes urged him not to take this step.

"In the meantime his friends became concerned because opposing candidates were organizing and canvassing for votes and little was being done in behalf of Mr. Morrow. It was decided to compile a short history of his life and achievements, the book to be circulated among the voters and published serially in some leading newspapers in New Jersey.

#### COOLIDGE WRITES FOREWORD

"Without consulting Mr. Coolidge in advance the sketch was sent him with the request that he write a foreword. Several days elapsed and nothing was heard from Mr. Coolidge, but within a week the sketch was returned with the foreword and without any comment. At the memorial services held in London for Mr. Morrow, General Dawes, in his remarks, quoted the concluding paragraph of Mr. Coolidge's statement, as follows:

"I first met him as the representative of the great mass of our fellow citizens which we call the people. There he will always



remain, just one of them, unencumbered by his property, thinking their thoughts, working, working tremendously for their success. I have seen him develop into a ripe scholar, an able lawyer, a great business man, a wise statesman, and a devoted husband, father, and patriot. When most men would retire he seems always just beginning—beginning some new service for his friends and neighbors, for his country, and for humanity. It is the glory of the United States that it can produce such citizens."

"The last time I saw Mr. Coolidge," Mr. Marshall continued, "was at Mr. Morrow's funeral. I felt that of all the friends whom I saw there no one, outside the family, seemed more affected."

#### MARSHALL WRITES COOLIDGE

"Having been with Mr. Morrow in his last days and, as always, having heard him speak so beautifully of Mr. Coolidge, I felt it appropriate to write him. One of the things I said was:

"The first thing he asked me when he saw me was whether I had read your article [referring to Mr. Coolidge's article in the Saturday Evening Post]. He was very much pleased with it and he also discussed Mr. Walter Lippmann's comment about it. Sunday, at the noonday meal, when there was no one present but the family, he told us of his telephone talk with your secretary and of your having shot a partridge. I don't think I was ever with him for any length of time that some time during the conversation he did not speak of you. He had the mental habit of comparing what he thought you would do with situations—always to your credit. The first time I ever met him the occasion was his discussion of you. That was the year before you were nominated for Vice President. \* \* \* I have seen him stop suddenly on the street and say, 'I have just been thinking about Coolidge. What an amazing man!'

"Recently," Mr. Marshall continued, "at the inauguration of the new president of Amherst College, where both Mr. Coolidge and Mr. Morrow have served as trustees, Mr. Walter Lippmann spoke of Mr. Morrow as not only Amherst's greatest son, but the greatest man of his time. President Coolidge sat on the platform, and no one seemed more pleased at this tribute than he.

"It was a remarkable friendship between two great men, both modest, unassuming, neither recognizing the greatness of himself, but appreciating in full the greatness of the other.

"It is the glory of the United States that it can produce such citizens," and it is a wonderful thing that it can produce such friendship."

#### INVESTIGATION OF AIR MAIL AND OCEAN MAIL CONTRACTS

Mr. BLACK. Mr. President, I send to the desk a resolution which I do not care to discuss, but which I should like to have read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

The PRESIDING OFFICER (Mr. COUZENS in the chair). The resolution will be read for the information of the Senate. The resolution (S. Res. 349) was read, as follows:

*Resolved*, That a special committee of the Senate, to be appointed by the President of the Senate, three from the majority political party and two from the minority political party, is authorized and directed to investigate and make a full, complete, and detailed inquiry into all existing contracts entered into by the Postmaster General for the carriage of air mail and ocean mail, both foreign and domestic, with a view to determining particularly (1) all the circumstances surrounding the execution and continuation of and the necessity, if any, of maintaining, altering, or canceling such contracts; (2) the organization and financial condition of the associations, partnerships, or corporations with which such contracts have been entered into, including a study of their capital stock, authorized and paid in, their receipts and expenditures, their total outlay in salaries paid to officers, executives, and employees, whether by way of bonus or otherwise, and their relationship, whether by interlocking directorates or otherwise, with any other individual, association, partnership, or corporation, commercial or banking; and (3) the extent of any activities by or on behalf of any association, partnership, or corporation with which such contracts have been entered into in any effort to obtain, through legislation or otherwise, cash subsidies from the United States. The committee shall report to the Senate, as soon as practicable, the results of its investigations, together with its recommendations.

For the purposes of this resolution, the committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings, to sit and act at such times and places during the sessions and recesses of the Senate in the Seventy-second and succeeding Congresses, to employ such clerical and other assistants, to require by subpoena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, and to make such expenditures as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words. The expenses of the committee, which shall not exceed \$10,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman.

The PRESIDING OFFICER. Under the rule, the resolution will be referred first to the committee having charge of the subject matter.

Mr. BLACK. I do not object if it is to go to the Committee on Post Offices and Post Roads.

Before that order is entered, however, let me say that I have before me the cost of air mail subsidies as disclosed by the report of the Post Office Department for 1932. The cost of air mail subsidies was \$23,845,311, the cost of ocean mail subsidies \$21,666,102, or a total of \$45,511,414. I desire to request the Committee on Post Offices and Post Roads to take cognizance of those figures and to take prompt action in order that the resolution may receive consideration before the extra session.

The PRESIDING OFFICER. The resolution will be referred to the Committee on Post Offices and Post Roads.

#### ADDITIONAL PETITIONS AND MEMORIALS

Mr. ROBINSON of Arkansas presented a joint memorial of the Legislature of the State of Arkansas, which was referred to the Committee on Banking and Currency, as follows:

#### House Joint Memorial Resolution 2

Whereas during the World War the United States Government greatly expanded the currency in order to finance the war, as is reflected by the fact that the amount of Treasury and bank-note circulation increased from \$715,000,000 in 1914 to \$3,340,000,000 in 1919, resulting in even more than 100 per cent rise in prices; and

Whereas the national debt increased from \$1,183,000,000 to \$25,482,000,000 in the same period, and is now more than \$20,000,000,000, and the indebtedness of other States, as well as corporate, private, and individual, has increased in even a greater percentage; and

Whereas public, private, corporate, and individual business has accumulated and contracted vast amounts of indebtedness during this period of inflated currency and overexpansion of credit; and

Whereas under the present condition of low prices for labor, commodities, and deflated currency these public and private debts, contracted when dollars were cheap, must not, and can not be, repaid with dollars that are dear, creating an unjust hardship and forcing into bankruptcy great numbers of debtors and giving undue and unjust advantage as well as jeopardizing the rights of creditors; and

Whereas the depression has resulted in deflation of prices and commodities, salaries and wages, but not in interest and dividends, as is reflected by the fact that the average of wages and salaries in the United States has decreased 57 per cent since the year 1926, not counting the totally unemployed, while on the other hand the average of interest and dividend payments have increased 68 per cent, thus making the present deflation extremely unjust and one-sided in its effect; and

Whereas money, gold, and currency are the measure by which exchange of real values is made and the value whereof can easily and arbitrarily be fixed, the power of so doing having been placed in the hands of the Congress by the Constitution of the United States: Therefore be it

*Resolved by the house of representatives of the forty-ninth general assembly (the senate concurring therein)*, That we do hereby memorialize the Congress of the United States to revalue our money system of gold and currency or to enact such legislation as will restore same to the value of 1919 as a means of bringing wages, salaries, and commodity prices on a par with the payment of debts, both public and private, and thereby avoiding wholesale bankruptcy and protecting creditors and holders of securities against impending loss; and be it further

*Resolved*, That we send a copy of this resolution to our Senators and Representatives in the United States Congress, thereby asking them to sponsor and support such legislation; be it further

*Resolved*, That we send a copy of this resolution to the presiding officers of the house and senate of each State legislature now in session, thereby requesting that each of those bodies pass a similar resolution.

MARCUS L. MILLER,  
Polk County.  
JOHN M. WILLIAMS,  
Logan County.

Mr. COPELAND presented a resolution adopted by the Lycoming (N. Y.) Local of the Dairymen's League Cooperative Association (Inc.), favoring the inflation of the currency so as to increase prices, which was referred to the Committee on Banking and Currency.

He also presented a resolution unanimously adopted at a mass meeting of veterans of all wars held in Buffalo, N. Y., under the auspices of Veterans of Foreign Wars of the United States (Erie County), protesting against the policies of the National Economy League, and kindred organizations, in advocating economies in Federal appropriations affecting especially benefits to war veterans, which was referred to the Committee on Finance.

He also presented the memorial of Rev. Clarence O. Peterson and sundry citizens of Mannsville, N. Y., remonstrating against the repeal of the eighteenth amendment to the



Constitution or the repeal or modification of the national prohibition law, which was ordered to lie on the table.

He also presented a resolution adopted by the National Retail Dry Goods Association, assembled at New York City, N. Y., favoring reduction of governmental expenses so as to avoid the imposition of additional taxes, which was ordered to lie on the table.

He also presented the petition of Navy Post, No. 16, American Legion, of New York City, N. Y., praying that there be stricken out of the Army appropriation bill, H. R. 14199, the so-called Taber and Connery amendments affecting pay and allowances in the Army and also "that no such amendments shall be appended to the Navy Department supply bill," which was ordered to lie on the table.

He also presented a resolution adopted by general executive board of the Upholsterers', Carpet and Linoleum Mechanics' International Union of North America, New York City, N. Y., favoring the prompt passage of the so-called Costigan-La Follette emergency relief bill, being the bill (S. 5125) to provide for cooperation by the Federal Government with the several States in relieving the hardship and suffering caused by unemployment, and for other purposes, which was ordered to lie on the table.

#### TREASURY AND POST OFFICE APPROPRIATIONS

The Senate resumed the consideration of the bill (H. R. 13520) making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1934, and for other purposes.

Mr. BANKHEAD. Mr. President, I desire to enter notice of a motion to reconsider the amendment offered by the senior Senator from Tennessee [Mr. McKellar] by which it is proposed to strike out, in line 3, page 57, the numerals "\$35,500,000" and insert "\$28,500,000." I am merely entering the notice of the motion at this time.

Mr. BINGHAM. Mr. President, I hope we may now recur to the bill and to the amendment on page 79, section 15.

The PRESIDING OFFICER. The clerk will report the next amendment.

The CHIEF CLERK. On page 79, line 5, insert the following:

SEC. 15. The Bureau of Efficiency and the office of chief of such bureau are hereby abolished; and the President is authorized to designate another officer to serve in place of the Chief of the Bureau of Efficiency on any board, commission, or other agency of which the Chief of the Bureau of Efficiency is now a member. All records and property, including office furniture and equipment of the bureau, shall be transferred to the Bureau of the Budget. Appropriations and unexpended balances of appropriations available for expenditure by the Bureau of Efficiency shall be impounded and returned to the Treasury. This section shall take effect on the first day of the month following the month during which this act is enacted.

Mr. BYRNES. Mr. President, I have an amendment which I desire to offer to this section.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The CHIEF CLERK. On page 79, line 15, strike out all of the section after the word "effect" and insert in lieu thereof "60 days from the date of the approval of this act."

Mr. BINGHAM. I have no objection to the amendment.

Mr. COPELAND. Mr. President, I assume that the Senator from South Carolina submitted this amendment because of the conversation I had with him regarding it?

Mr. BYRNES. I will state, Mr. President, that the Senator from New York discussed this matter with members of the committee, and the committee were of the opinion that the time should be extended as this amendment provides.

Mr. COPELAND. Let me make a further suggestion.

Mr. President, I should like to have the Senator from South Carolina provide that the section shall take effect at the beginning of the fiscal year, July 1, instead of taking effect 60 days after its approval.

I recognize the generosity of the Senator because when we talked about it the provision had even a lesser number of days than the Senator now suggests; but if this bureau is actually to be wiped out, and its employees are to be removed from the Government pay roll, they ought to have at least warning of the intention of Congress. It would seem to me that the natural time to terminate the activities of

the bureau would be at the beginning of the new fiscal year. So the plea I make is that instead of having the section take effect in 60 days after enactment it should take effect at the beginning of the next fiscal year.

Mr. BYRNES. Mr. President, the Senator from New York recalls that this bill as reported to the Senate contained a provision for the elimination of the bureau immediately upon the passage of the bill. So far as notice is concerned, it is a fact that the employees of this bureau knew as far back as January 6, that, in so far as the committee was concerned, the report was to be made recommending the elimination. Of course, that does not mean that Congress is going to adopt the report of the committee; and the Senator from New York knows that this bill, in the very nature of things, will not be approved for some days, probably 10 days or 2 weeks longer; and then this provision will not take effect for 60 days after the approval of the act. The committee is of the opinion that that will give ample notice to employees as to the action of Congress.

Mr. COPELAND. Mr. President—

The PRESIDING OFFICER (Mr. LA FOLLETTE in the chair). Does the Senator from South Carolina yield further to the Senator from New York?

Mr. BYRNES. I yield to the Senator.

Mr. COPELAND. I assume that what the Senator says is correct; but, of course, if the section were amended as I have suggested, it would simply add another 60 days to the 60 days the Senator has proposed; and it would seem to me the natural time to begin a new plan in the administration of the Government would be at the beginning of the fiscal year; so that the appeal I make is that the effective date may be set over to the 1st of July instead of 60 days after enactment.

Mr. BYRNES. I think the employees will have had more than 90 days' notice from the time the bill was reported, and I trust that the amendment I have offered will be adopted.

Mr. SMOOT and Mr. DICKINSON addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Utah.

Mr. SMOOT. Mr. President, I know what I may say will have no effect, perhaps, upon the action of the Senate; but I desire to say if there has been one agency of the Government, created as an independent office, which had for its object the saving of money to the Treasury of the United States, and which actually saved money, it is the Bureau of Efficiency. I know that the stage is all set; I know that anything I might say by going into the details as to hundreds of millions of dollars have been saved by this bureau will cut no figure whatever; but I want to place this statement on record in behalf of the splendid men who have managed the affairs of the Bureau of Efficiency.

Mr. DICKINSON. Mr. President, I should like to have the attention of the Senator from South Carolina for a moment. During the discussions in the Economy Committee it was suggested that where a bureau is to be abolished it is always better, if possible, to terminate its existence at the end of a calendar month. I am wondering whether the Senator from South Carolina would not modify the amendment so as to provide that the section should take effect at the beginning of the second calendar month after the approval of the act? In that way there would be a cut-off at the end of a month, while if it is made 60 days, a month and a third may elapse; it would be necessary to deal with a third of a month, and all the employees would have to have their salaries figured out upon that fraction of a month. I am just making that suggestion to the Senator from South Carolina.

Mr. BYRNES. The purpose of the committee was to give 60 days' notice after the approval of the act. I have no objection to the modification of the amendment in the manner indicated by the Senator from Iowa, however, if he will indicate it so that we may understand the amendment.

The PRESIDING OFFICER. May the Chair suggest to the Senator from Iowa that he submit the language in the form of a formal amendment so that it may be read from the desk?

Mr. COPELAND. Mr. President, may I ask if the Senator from Iowa suggested that the effective date be made the 1st of July?

Mr. BYRNES. The Senator from Iowa suggested that the effective date be the beginning of the second calendar month after the approval of the act, so that the change would take place on the 1st of the month.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from South Carolina.

Mr. FESS. Mr. President, the Senator from South Carolina is a member of the Economy Committee?

Mr. BYRNES. Yes.

Mr. FESS. He has been for a long while a Member of the other House and, therefore, is quite familiar with the operations of the Bureau of Efficiency. I desire to ask him a question about the proposed abolition of this bureau. I know, as he knows, the purpose for which it was originally created. All along we have been wondering how we could save lost motion and eliminate extravagances in governmental agencies which the Congress has set up from time to time and which grow from day to day, being perhaps small to-day but growing larger to-morrow and still larger the next day. The Bureau of Efficiency was thought to be a distinctive organization made up of experts capable of looking into the operations of the various activities of the Government and making recommendations as to where money could be saved. I am wondering, in view of the functions it has performed, as it has developed from year to year, if it is not an unwise thing to abolish the particular bureau, since the very purpose of its creation was to secure greater efficiency and bring about economy.

I know the Senator is familiar, if anyone is, with the work of the bureau, and I will ask him if it has not proved its value in its operations to the extent that, in the interest of economy, it ought to be continued?

Mr. BYRNES. Mr. President, the opinion of the committee was that the Bureau of the Budget, which is charged with the duty of making estimates for the various bureaus, could make examination as to the administration of the funds appropriated by the Congress. Under the order of the President, as I recall, the Bureau of Efficiency was transferred to the Bureau of the Budget. In any event, by this transfer the Bureau of the Budget would seek to perform the functions heretofore performed by the Bureau of Efficiency.

Of course, what is said of the Bureau of Efficiency may be said of almost every other bureau; it might be desirable to continue the Bureau of Efficiency as well as the Bureau of the Budget; but undoubtedly there is some duplication and overlapping, if the Bureau of the Budget actually does what the Congress intended it to do when it was created by the Congress. If there is any bureau that can be eliminated at this time, in the opinion of our committee, this bureau could be dispensed with.

The question is one not so much of maintaining desirable things but of maintaining only essential activities, and that makes it necessary at this time that the Bureau of the Budget should do this work.

Mr. FESS. Mr. President, then I understand that it is not proposed to eliminate the functions of the Bureau of Efficiency, but to transfer its functions to another agency already in existence.

Mr. BYRNES. It is the purpose and hope of the committee that the Bureau of the Budget will do the work which has been performed and is now being performed by the Bureau of Efficiency. It is simply to prevent overlapping and duplication of work.

Mr. FESS. Realizing that the very purpose of the creation of this bureau was to insure efficiency and economy, it would seem to me to be the last bureau which in the interest of these two objects should be abolished; but I note the transfer is to another bureau that was created years after the Bureau of Efficiency, so that functions now performed by the Bureau of Efficiency will still be performed.

Mr. BYRNES. That is the intention of the committee.

Mr. DICKINSON. I offer an amendment to the amendment proposed by the Senator from South Carolina.

The PRESIDING OFFICER. The amendment to the amendment will be reported for the information of the Senate.

The CHIEF CLERK. In the amendment offered by the Senator from South Carolina it is proposed to strike out the words "60 days after the passage of this act" and insert in lieu thereof the words "at the beginning of the second calendar month after the passage of this act."

Mr. COPELAND. Mr. President—

The PRESIDING OFFICER. Does the Chair understand the Senator from South Carolina to modify his amendment in accordance with the suggestion of the Senator from Iowa?

Mr. BYRNES. I have said that I accepted the modification of the amendment.

The PRESIDING OFFICER. The question is on the amendment of the Senator from South Carolina [Mr. BYRNES], as modified, to the paragraph reported by the committee.

Mr. COPELAND. Now, Mr. President, I should like to ask if the amendment as modified might not mean that the Bureau of Efficiency would be abolished in 30 days instead of 60 days? I presume the Senator from Iowa did not so intend it, but it appears to me that it might not be so favorable as the amendment offered by the Senator from South Carolina.

Mr. DICKINSON. Mr. President, my purpose is, if we are going to abolish the bureau, to have it go out of existence at the end of a month. If the Senator would prefer to have it the third calendar month, I would just as leave do that. I am not discussing the question of time.

Mr. COPELAND. I should say certainly that it should be the third calendar month rather than the second, as proposed by the Senator from Iowa.

Mr. DICKINSON. With the consent of the Senator from South Carolina, I will be very glad to modify my amendment to his amendment so as to read the "third calendar month" instead of the "second calendar month."

Mr. BYRNES. Mr. President, I think the Senator from New York is correct, in that the amendment in its present form might lessen the time; and I have no objection to changing it to read "at the beginning of the third calendar month" in place of "the second calendar month," if that is more satisfactory to the Senator from New York.

Mr. COPELAND. Then, as I understand, the Senator from South Carolina has modified his amendment?

Mr. BYRNES. Yes; so as to read "at the beginning of the third calendar month."

The PRESIDING OFFICER. The amendment has been modified, providing that the provision shall take effect "at the beginning of the third calendar month." The question is on agreeing to the amendment, as modified.

Mr. COPELAND. Just a moment, Mr. President. I think the Senator from South Carolina is doing well. Now, could we get him to insert the words "the 1st of July," instead of "at the beginning of the third calendar month," so as to fix a definite month?

Mr. BYRNES. Mr. President, I think it is definite enough as it is, and I am opposed to any further modification of the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from South Carolina, as amended, to the paragraph reported by the committee.

The amendment, as modified, to the paragraph reported by the committee was agreed to.

Mr. NYE. Mr. President, I send to the desk an amendment to this section.

The PRESIDING OFFICER. The amendment will be reported for the information of the Senate.

The CHIEF CLERK. As a substitute for section 15, as amended, the Senator from North Dakota proposes to insert the following:

The Bureau of Efficiency is hereby abolished as an independent establishment, and its powers, duties, personnel, property, equip-



ment, records, and the unexpended balances of its appropriations for the current fiscal year are hereby transferred to the General Accounting Office, effective the first day of the month following the approval of this act: *Provided*, That the President may designate an officer of the Government to serve on any board on which the Chief of the Bureau of Efficiency now serves by virtue of his position as chief of that bureau.

Mr. BINGHAM. I make the point of order that the amendment is not in order, since the section as amended has been adopted.

The PRESIDING OFFICER. If the Senator raises the point of order, the Chair would be forced to rule that it would be necessary to have a reconsideration.

Mr. COPELAND. Mr. President, I did not understand that the whole section had been adopted.

Mr. FESS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Ohio will state it.

Mr. FESS. Would not a motion to strike out the section and insert this language be in order?

The PRESIDING OFFICER. The Chair is informed that the amendment appeared at the end of the section in lieu of words contained in the section and that the question has not yet been put upon adopting the section as modified by the amendment of the Senator from South Carolina [Mr. BYRNES]. So the Chair holds that the amendment offered by the Senator from North Dakota is in order.

Mr. NYE. Mr. President, I desire to speak upon that amendment.

The PRESIDING OFFICER. The Senator from North Dakota is recognized.

Mr. NYE. Mr. President, I offer this amendment only because it appears that there is a determination on the part of the Senate to dispense with the Bureau of Efficiency as such. I hope that if we are going to dispense with it as a unit we will refrain from destroying the work and the utility of that particular service. I hope it may be held intact in some department where it can continue what I consider to be among the most efficient services that are coming from any department of government to-day.

We are all anxious, of course, to effect such economies as can be effected; but in doing it we ought to be on guard lest we destroy the very things that are working to the end of accomplishing economy.

I have very carefully gone over the ground with those who ought to be accepted as authorities upon the subject, with the view in mind of ascertaining just what savings have been effected by reason of the operations of the Bureau of Efficiency, and have compiled a tabulation—rather roughly, I will admit—estimating the savings from year to year that have been accomplished by the Bureau of Efficiency.

Starting back in 1914, this tabulation reveals that the expenditures for general investigations in that year were \$14,007, and that the savings for that fiscal year only—that one year—were \$100,000; in other words, almost 7 to 1 in the matter of savings in relation to expenditures to accomplish those savings. Then, of course, there have been savings in the recurring years, Mr. President. In a particular year the Bureau of Efficiency might have adopted a course that effected a saving of only \$1,000 in that year; and yet that saving is reflected through the following years, and year after year. So if we consider the total savings that have been won by operation of the Bureau of Efficiency from year to year since 1914, I believe it fair to estimate that with the very small appropriation that has been required to maintain this bureau as much as \$50,000,000 have been saved by reason of the operations of the bureau.

Mr. President, I hope that the Senate, since it has determined to do away with the bureau as a unit, will maintain the services by holding the forces of the Bureau of Efficiency together in some department; and if we are going to do that, I see no more efficient place for its operation than in the General Accounting Office.

I ask unanimous consent to have printed in the RECORD the compilation of which I have just spoken.

Mr. SMOOT. The total amount, as the Senator said, runs into the millions.

Mr. NYE. Yes, Mr. President; I should like to point out that in those years, dating back to 1914, the expenditures made for general investigations totaled \$1,883,432. The savings for the fiscal years only—that is, the particular fiscal years in which the appropriations were made—aggregated \$522,080; and then the savings recurring in succeeding years by reason of the same activity amounted to \$9,876,674, effecting a total saving of \$10,398,754; all of which occurs to me as meriting a word of praise at least for those who have carried on. I think no department of our Federal Government has operated and won so large a return as has the Bureau of Efficiency when that return is compared with the expenditure occasioned by reason of its activities.

The PRESIDING OFFICER. Without objection, the table will be printed in the RECORD.

The table is as follows:

*Summary of expenditures and savings, fiscal years 1914 to 1932*

Fiscal year	Expenditures for general investigations	Savings for fiscal years only	Savings recurring in succeeding years	Total savings
1914.....	\$14,007	\$100,000	\$57,000	\$157,000
1915.....	19,451	—	38,000	38,000
1916.....	28,227	—	173,775	173,775
1917.....	48,446	—	112,700	112,700
1918.....	99,620	125,000	2,561,000	2,716,000
1919.....	97,032	—	178,720	178,720
1920.....	98,837	—	428,000	428,000
1921.....	85,829	—	230,000	230,000
1922.....	84,749	—	150,000	150,000
1923.....	103,414	—	250,000	250,000
1924.....	53,935	—	234,000	234,000
1925.....	66,429	—	423,200	423,200
1926.....	108,225	—	61,490	61,490
1927.....	144,519	16,738	1,815,180	1,831,918
1928.....	185,137	72,800	357,920	430,720
1929.....	155,168	89,135	2,186,984	2,276,119
1930.....	159,502	6,960	127,515	134,475
1931.....	171,320	89,947	233,190	323,137
1932.....	159,585	21,500	228,000	249,500
Total.....	1,883,432	522,080	9,876,674	10,398,754

Mr. NYE. I ask, Mr. President, and earnestly hope, that the Senate may concur in the amendment which I have offered.

Mr. BINGHAM. Mr. President, the proposal of the Senator from North Dakota does not save any money at all, except possibly the salary of the very efficient director of the bureau, Mr. Brown. No one has any fault to find with the way Mr. Brown has directed the bureau.

The Senator from North Dakota proposes to transfer the bureau to the General Accounting Office and place it under the Comptroller General, where it certainly does not belong. It is not the business of the General Accounting Office to determine on methods of efficiency or economy, but merely to carry out the will of Congress in interpreting the laws and seeing that people do not spend money that they have no right to spend.

Mr. BYRNES. Mr. President, will the Senator yield to me?

Mr. BINGHAM. I yield to the Senator from South Carolina.

Mr. BYRNES. I would much rather have the Bureau of Efficiency exist as an independent establishment than to have it transferred to the General Accounting Office, where it would serve no purpose at all.

Mr. BINGHAM. Why, certainly; so would I. It has acted rather well in its present form; but the Bureau of Efficiency was organized before the Bureau of the Budget was established. Now that we have the Bureau of the Budget, whose business it is to see that we are not asked to appropriate more money than is needed, and to cut down things as far as possible, and to effect efficiencies and economies, it seemed to the committee that the best place for this work to be done was by the Bureau of the Budget. Therefore we transferred the files, and so forth, to the Bureau of the Budget.

The amendment proposed by the Senator from North Dakota not only does not save any money but places the bureau

where it has no business to be, namely, in the General Accounting Office.

Mr. JOHNSON. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Connecticut yield to the Senator from California?

Mr. BINGHAM. Certainly.

Mr. JOHNSON. I am not very clear as to the language of this amendment. As I gather from what has been said in behalf of it here, the design is wholly to abolish and eliminate the Bureau of Efficiency. It no longer shall exist. That is correct, is it not?

Mr. BYRNES. That is correct.

Mr. JOHNSON. All right. Now, with the personnel will go the obligation to perform the duties. That seems to be perfectly obvious. The amendment, however, reads that the bureau is abolished—

and the President is authorized to designate another officer to serve in place of the Chief of the Bureau of Efficiency on any board, commission, or other agency of which the Chief of the Bureau of Efficiency is now a member.

That language I am not clear about.

Mr. BINGHAM. I can explain that to the Senator.

Mr. JOHNSON. I thank the Senator.

Mr. BINGHAM. Under various laws there is made a member of a board or of another agency, ex officio, the Director of the Bureau of Efficiency. Naturally, if we abolish the bureau and the directorship, that position on any particular agency or commission or board would be vacant, and no one would have any authority to fill it. The amendment gives the President the right to designate any officer of the Government as the proper person, in his opinion, to fill that ex officio place on some commission or board.

Mr. JOHNSON. But what I do not exactly comprehend is this: If the bureau is at an end, and if the Chief of the Bureau of Efficiency is no longer of any use, why is it necessary to designate another officer to fill his particular place upon various boards?

Mr. BINGHAM. The President might very well designate the Director of the Budget to do the work on these boards.

Mr. JOHNSON. Could he appoint another official as a sort of bureau of efficiency, too? He has the right here to designate another officer to serve in place of the Chief of the Bureau of Efficiency, and the peculiar language rather nonplussed me. That is the reason for the query that I made.

Mr. SMOOT. Mr. President, I desire to call the attention of the Senate to the fact that the Bureau of Efficiency was created as an independent body, so that no department of our Government should have any power whatever over it. It was an independent agency, with authority to go into the departments of the Government and investigate their operation. Wherever its officials learned of waste, or wherever they learned that a consolidation of activities of our Government could be made without interfering with the efficiency of the work, it was to be done, and they had the authority and power to do it.

If the Senate desires now to abolish the bureau, it means the loss of millions upon millions of dollars. They have saved millions of dollars in the past, Mr. President.

Mr. NORRIS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Nebraska?

Mr. SMOOT. Just a moment. I will yield just as soon as I finish this sentence. The bureau has saved millions and millions of dollars. It has been an independent body. It goes into the departments to make the examinations; and I know whereof I speak when I say that the amount of money that has been saved by the recommendations of the Bureau of Efficiency in better organization and the elimination of duplication of activities in the Government have been something that I hardly thought the Bureau of Efficiency would be able to do.

Mr. BRATTON. Mr. President—

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from New Mexico?

Mr. SMOOT. I yield to the Senator.

Mr. BRATTON. Speaking not facetiously but seriously, I did not know that we had ever done away with duplication in any department.

Mr. SMOOT. I can tell the Senator, by going over and getting the list, that many, many, many of them have been done away with.

Mr. BRATTON. I should like to see the list.

Mr. SMOOT. There are a great many of them, Mr. President. Duplication in different departments doing the same class of work has been eliminated, and millions of dollars have been saved, through the activities of the Bureau of Efficiency. If the Senate is going to do anything along this line, however, abolish them entirely as an independent body. Do not put them under the jurisdiction of some other activity of our Government.

Mr. NORRIS. Mr. President, will the Senator yield now?

Mr. SMOOT. Yes; I yield to the Senator from Nebraska.

Mr. NORRIS. How long have they been in operation?

Mr. SMOOT. I think 22 years, or 20; I forget which.

Mr. NYE. Since 1914.

Mr. NORRIS. Have they succeeded in eliminating the waste and the duplication that it is claimed exists now?

Mr. SMOOT. Not entirely, but a great deal of it.

Mr. NORRIS. Why have they not done it? Could they not eliminate these bureaus or consolidate them in less than 20 years of study?

Mr. SMOOT. I can tell the Senator that they have abolished certain activities of the Government; and then in some cases in the very next appropriation bill that would pass, money would be appropriated for the very purpose they had just succeeded in having discontinued.

Mr. NORRIS. If that be true, no good has been accomplished by their work.

Mr. SMOOT. That has not been true in all cases. I say, there are a few of those cases. As I say, I prefer to have the bureau abolished than to try to put it under the control of some other agency of our Government.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from North Dakota [Mr. NYE].

The amendment was rejected.

The PRESIDING OFFICER. The question now is on section 15 as modified and amended.

The section as amended was agreed to.

Mr. BINGHAM. Mr. President, I call the attention of the Senator from Oklahoma [Mr. GORE] to the fact that we have now reached that portion of the bill in which he is particularly interested, namely, sections 16, 17, and 18. I believe he has an amendment to offer at this point, which is in order.

Mr. GORE. Mr. President, several days ago I had an amendment printed proposing to strike out sections 16, 17, and 18. I do not know whether Senators have given attention to the amendment or not, or whether they have given critical attention to sections 16, 17, and 18. If they have, I am inclined to believe they would agree to my amendment without discussion.

Mr. BINGHAM. Mr. President, may I say that I have received from the Secretary of the Treasury a very vigorous protest against putting two of these sections into effect on the ground of the probable expense to the Government. The Economy Committee have considered the matter quite carefully since the original report to the Committee on Appropriations, and I think I am within my rights in saying that the committee are perfectly willing to see these sections stricken from the bill.

The PRESIDING OFFICER. Does the Senator from Oklahoma offer the amendment?

Mr. GORE. I offer the amendment.

The PRESIDING OFFICER. The amendment will be reported for the information of the Senate.

The CHIEF CLERK. On page 79, beginning with line 18, section 16, the Senator from Oklahoma proposes to strike out through line 8, on page 82, and to insert in lieu thereof the following:



Sec. —. Section 319 of Part II of the legislative appropriation act, fiscal year 1933, is repealed as of June 30, 1932; and the rate of interest to be allowed upon judgments against the United States and overpayments in respect of internal-revenue taxes shall be the rate applicable thereto prior to the enactment of section 319 of such act.

Mr. GORE. Mr. President, the Senator from Connecticut has just indicated, I believe, that the Secretary of the Treasury is not adverse to this amendment, and is not opposed to the striking out of these sections 16, 17, and 18. I may say that the amendment which I have offered has the approval of the committee on taxation of the American Bar Association.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. McKELLAR. I ask the Senator from Oklahoma if he will accept as a part of the amendment, and, if not, I should like to offer it as an amendment to the amendment, a provision that was suggested by the senior Senator from Pennsylvania [Mr. REED] in regard to tax refunds, at the end of the amendment proposed by the Senator from Oklahoma to insert the following:

*Provided further, That no refund in excess of \$20,000 shall be paid until the determination by the Commissioner of Internal Revenue of the overpayment has been transmitted to and approved by the United States Board of Tax Appeals, under such rules as it may prescribe, and the commissioner shall disallow the part thereof not so approved.*

I want to say to the Senator from Pennsylvania that the amendment is offered in exactly the form in which he suggested it to me.

Mr. REED. Mr. President, will the Senator from Oklahoma yield to me?

Mr. GORE. I yield.

Mr. REED. While the amendment offered by the Senator from Tennessee seems to me to be all right, yet I think I should in candor say that it is very sternly opposed by the Senator from Mississippi [Mr. HARRISON] and it hardly seems fair to act on it in his absence.

I would suggest that the amendment of the Senator from Oklahoma, with which I am in warm sympathy, should be adopted first, and that then the Senator from Tennessee should offer his amendment as a separate section.

Mr. BINGHAM. Mr. President, I hope the Senator from Tennessee will do what the Senator from Pennsylvania suggests.

The PRESIDING OFFICER. Does the Chair understand the Senator from Oklahoma to modify his amendment?

Mr. GORE. Mr. President, I would rather not take that course. I shall not resist the amendment offered by the Senator from Tennessee, whether offered as an amendment to my amendment or as an independent section, as suggested by the Senator from Pennsylvania, which latter, I think, would be the preferable course.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. McKELLAR. Will the Senator allow me to offer it as an amendment to his amendment? May I ask the Chair whether it would be in order as an amendment to the amendment of the Senator from Oklahoma?

The PRESIDING OFFICER. It would be in order.

Mr. McKELLAR. If the Senator from Oklahoma will yield to me, I will just offer it as an amendment to his amendment.

Mr. GORE. I yield.

Mr. REED. Then, Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Ashurst	Brookhart	Couzens	Gore
Austin	Bulkeley	Cutting	Grammer
Bailey	Bulow	Dale	Hale
Bankhead	Byrnes	Davis	Harrison
Barbour	Capper	Dickinson	Hastings
Barkley	Clark	Fess	Hatfield
Bingham	Connally	Fletcher	Hayden
Blaine	Coolidge	Frazier	Hebert
Borah	Copeland	George	Johnson
Bratton	Costigan	Goldsbrough	Kendrick

Keyes	Neely
King	Norbeck
La Follette	Norris
Lewis	Nye
Logan	Oddie
McGill	Pittman
McKellar	Reed
McNary	Reynolds
Metcalf	Robinson, Ark.
Moses	Robinson, Ind.

Russell
Schall
Schuyler
Sheppard
Shipstead
Smoot
Steiner
Townsend
Trammell
Tydings

Vandenberg
Wagner
Walcott
Walsh, Mass.
Walsh, Mont.
Watson
Wheeler
White

The PRESIDENT pro tempore. Seventy-eight Senators having answered to their names, a quorum is present.

The question is upon agreeing to the amendment proposed by the Senator from Oklahoma [Mr. GORE].

Mr. BRATTON. Mr. President, I understood the chairman of the Economy Committee to say that, so far as sections 17 and 18 are concerned, the amendment of the Senator from Oklahoma is accepted, thereby eliminating those two sections.

Turning to section 16 of the bill, being the other section involved in the amendment offered by the Senator from Oklahoma, the original economy act, approved June 30, 1932, contained this provision:

Sec. 319. Hereafter the rate of interest to be allowed or paid shall be 4 per cent per annum whenever interest is allowed by law upon any judgment of whatsoever character against the United States and/or upon any overpayment in respect of any internal-revenue tax. All laws or parts of laws in so far as inconsistent herewith are hereby repealed.

It will be noted, Mr. President, that law provided that "hereafter the rate of interest to be allowed or paid \* \* \* upon any judgment \* \* \* and/or upon any overpayment" of taxes shall be 4 per cent.

Let me direct attention to section 16 of the pending bill, reading as follows:

SEC. 16. Section 319 of Part II of the legislative appropriation act, fiscal year 1933, shall not apply to any judgment rendered against the United States prior to July 1, 1932, and thereafter becoming final. Appropriations available for payment of such judgments rendered prior to July 1, 1932, as determined by the Comptroller General of the United States, shall be available for payment of interest thereon accordingly at the rate applicable at the time the judgment was rendered.

The difficulty was that in interpreting the original economy act the Comptroller General held that although judgment was rendered prior to June 30, 1932, and the case was affirmed afterwards or the time for payment arrived afterwards, the rate was reduced to 4 per cent, thereby injecting a retroactive phase into the law. Section 16 simply takes out of the law that retroactive phase and allows payment of all judgments rendered prior to June 30, 1932, on the basis of the interest specified in the judgment or law then in force.

Does not the Senator from Oklahoma think that section should stand?

Mr. GORE. I would rather see the proposition submitted by the Senator attached to my amendment as an amendment, because if the section stands as written it would still leave refunds payable on the basis of 4 per cent where allowed prior to June 30 last.

Mr. BRATTON. Then let me suggest to the Senator that after the word "judgment" we insert the words "except for refund of taxes." Then the section would read:

Section 319 of Part II of the legislative appropriation act, fiscal year 1933, shall not apply to any judgment, except for refund of taxes, rendered against the United States prior to July 1, 1932, and thereafter becoming final.

The PRESIDENT pro tempore. Let the Chair understand. According to the print of the amendment proposed by the Senator from Oklahoma now before the Chair, the Senator from New Mexico is proposing more of a change than he has indicated by his words.

Mr. BRATTON. The amendment I suggest is to the committee text, and is not to the amendment offered by the Senator from Oklahoma.

The PRESIDENT pro tempore. Very well.

Mr. BINGHAM. Mr. President, if the amendment is applicable to sections 16, 17, and 18, as I understand it to be, I would offer no objection to it.

Mr. BRATTON. Then the chairman desires to accept the amendment as to all three sections?

Mr. BINGHAM. That is what I endeavored to state.

Mr. BRATTON. And allow the retroactive interpretation of the original act to continue?

Mr. BINGHAM. Having talked it over with the Senator from Oklahoma, I felt there was great justice in the position he took, and did not think the committee would object to his position.

Mr. BRATTON. Very well; if the chairman has given the matter study, which I confess I have not done recently, I shall yield to his judgment in the matter.

The PRESIDENT pro tempore. Therefore the question recurs upon the amendment proposed by the Senator from Oklahoma to the amendment proposed by the Senator from Tennessee.

Mr. GORE. I think the Chair is in error. I offered an amendment, and the Senator from Tennessee offered an amendment to my amendment. That is the parliamentary status.

The PRESIDENT pro tempore. Then, in the first place the question is whether the Senator from Oklahoma accepts the proposed amendment of the Senator from Tennessee to his amendment.

Mr. GORE. Certainly, I have no objection to the amendment offered by the Senator from Tennessee in the form in which he has now presented it. I should like to take advantage of this occasion to say that I voted against the motion to suspend the rule some two or three weeks ago when the Senator from Tennessee offered an amendment upon the same subject to provide that claims for refunds should be sent to the joint committee and tried de novo. The appropriation bill was vetoed on the ground of the constitutionality of that provision. I do not think the amendment now offered is subject to the ground that it is unconstitutional; so I have no objection to it on any ground.

The PRESIDENT pro tempore. Is the Chair to understand that the Senator from Oklahoma, who has control of the language of his amendment, accepts the amendment proposed by the Senator from Tennessee?

Mr. GORE. I have been sparring for the moment to see whether it was going to lead us into a row or not. If it will not, I shall interpose no objection.

The PRESIDENT pro tempore. Then the question is on the amendment as amended by the proposal of the Senator from Tennessee, which will be stated for the information of the Senate.

Mr. McKELLAR. I hope it will be stated.

The PRESIDENT pro tempore. The clerk will read.

The CHIEF CLERK. The Senator from Oklahoma offers the following amendment: Strike out sections 16, 17, and 18 as printed in the bill and insert:

Section 319 of Part II of the legislative appropriation act, fiscal year 1933, is repealed as of June 30, 1932; and the rate of interest to be allowed upon judgments against the United States and overpayments in respect of internal-revenue taxes shall be the rate applicable thereto prior to the enactment of section 319 of such act.

The Senator from Tennessee offers the following modification:

*Provided*, That no refund in excess of \$20,000 shall be paid until the determination by the Commissioner of Internal Revenue of the overpayment has been transmitted to and approved by the United States Board of Tax Appeals, under such rules as it may prescribe; and the commissioner shall disallow the part thereof not so approved.

Mr. HARRISON. Mr. President, I am not going to offer any objection to the McKellar amendment because I think we want to expedite the matter, and I understand the conferees will give consideration to the question of letting the approval go to the Joint Committee on Internal Revenue Taxation which is now handling the matter.

In this connection may I say that that joint committee of the Senate and House, which has a very efficient staff, had a meeting last week. We propose to have a meeting at least once a month and possibly twice a month. We are going to look into every one of these propositions. I am very glad the amount has been cut down from \$75,000 to \$20,000.

With that explanation I am going to offer no objection to the amendment as now drawn, that a refund must receive the approval of the Board of Tax Appeals, although I think that would be a very bad proposition if enacted into law.

The PRESIDENT pro tempore. The Chair understands the Senator from Oklahoma to have accepted the proposal of the Senator from Tennessee, and, therefore, the question recurs upon the amendment proposed by the Senator from Oklahoma as modified by the proposal of the Senator from Tennessee. [Putting the question.] The amendment as modified is agreed to. This title is still open to amendment.

Mr. BINGHAM. Mr. President, I ask to turn to page 82, section 19, and I desire to move, in line 11, that "June 30, 1933," be changed to "June 30, 1934"; that, in line 18, the word "or" be omitted; and, in line 19, after the words "public debt," there be inserted "or other indefinite appropriations under the public debt service," this at the request of the Secretary of the Treasury, in order to carry out the wishes of the committee that appropriations for the sinking fund and public debt service be eliminated from this section.

Mr. McKELLAR. Mr. President, will the Senator state the amendment again?

The PRESIDENT pro tempore. Let the clerk state it for the information of the Senate.

The CHIEF CLERK. On page 82, line 19, strike out "June 30, 1933," and insert "June 30, 1934"; in line 18, strike out the word "or"; and in line 19, after the words "public debt," insert "or other indefinite appropriations under the public debt service."

Mr. DAVIS. Mr. President, do I understand that that strikes out the reference to the fiscal year ending June 30, 1934, and does not interfere in any way with the Federal Board of Vocational Education future appropriations after 1934?

Mr. BINGHAM. Mr. President, if the Senator will permit us to adopt the recommendation of the Secretary of the Treasury, then we will take up the question in which the Senator is interested with regard to vocational education. That does not arise in this connection, except that 1933 is changed to 1934.

Mr. DAVIS. That means that each year after 1934 the Federal Board of Vocational Education will have to get an appropriation for each following year?

Mr. BINGHAM. That would be the meaning of the section along with a great many other appropriations of a similar nature; but will not the Senator permit us to adopt the pending amendment and then we will come to his matter?

The PRESIDING OFFICER (Mr. Fess in the chair). The question is on agreeing to the amendment offered by the Senator from Connecticut.

The amendment was agreed to.

Mr. REED. Mr. President, before we go to the vocational-education item, I have an amendment to propose in line 19, which I send to the desk and ask to have read.

The PRESIDING OFFICER. The clerk will report the amendment.

The CHIEF CLERK. The Senator from Pennsylvania offers the following amendment:

In section 19 of the committee print, insert after the first comma, in line 19, page 82, the following: "or to stoppages, fines, forfeitures, and other moneys or funds appropriated by section 4813, Revised Statutes, for the support of the Soldiers' Home."

Mr. REED. Mr. President, just a word of explanation. The Soldiers' Home is not supported by regular appropriations; but under the Revised Statutes from all stoppages or fines adjudged against soldiers by sentences of courts-martial, and all estates of soldiers who have died and the estates remain unclaimed for three years, funds are derived for the support of the Soldiers' Home. It is probable that the language of the amendment as the committee has reported it would not affect the Soldiers' Home, but in order to avoid any doubt about it I have been asked by the authorities of the Soldiers' Home to present this amendment. I take it, the committee has no objection.

Mr. BINGHAM. No; there is no objection.



The PRESIDING OFFICER. Without objection, the amendment is agreed to.

Mr. BYRNES. Mr. President, I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The clerk will report the amendment.

The CHIEF CLERK. On page 82, line 19, strike out all of the section after the word "debt" and insert "or to appropriations of any funds derived from assessments on banks."

Mr. BINGHAM. Mr. President, the amendment will have to be inserted after the amendment of the Senator from Pennsylvania just adopted, instead of at the point referred to by the Senator from South Carolina.

Mr. BYRNES. It should be to strike out after the word "services," then.

Mr. REED. Mr. President, I must make the point of order that the Senate has just adopted an amendment I proposed, which would be stricken out by that proposal.

Mr. BYRNES. My understanding was that it was the amendment of the Senator from Pennsylvania the last word of which is "services."

Mr. REED. No; the last words of my amendment were "Soldiers' Home."

Mr. BINGHAM. The Senator from Pennsylvania offered an amendment following the word "debt." The amendment of the Senator from South Carolina should follow the word "services," because in the first amendment proposed by the committee other words were inserted which made it necessary that his amendment should follow the word "services."

Mr. REED. I had it expressed to follow the first comma, so that whatever the Senator has put in ahead of the comma would precede my amendment.

Mr. BYRNES. The amendment previously adopted would cause the Senator's amendment to follow the word "services," and I think my amendment then should follow the word "home" in the amendment of the Senator from Pennsylvania.

Mr. REED. If the Senator proposes that, it would clearly be in order.

The PRESIDING OFFICER (Mr. Fess in the chair). The question is on agreeing to the amendment of the Senator from South Carolina.

The amendment was agreed to.

Mr. BINGHAM. I call the attention of the Senator from Pennsylvania [Mr. Davis] to the fact that the words in the last two lines referring to the appropriation for vocational education have been stricken out.

Mr. AUSTIN obtained the floor.

Mr. DAVIS. Mr. President—

The PRESIDING OFFICER. The Senator from Vermont has the floor.

Mr. AUSTIN. I offer the amendment which I filed on January 13, and send it to the desk.

The VICE PRESIDENT. The amendment will be stated.

The CHIEF CLERK. On page 82, line 19, beginning with the word "and," it is proposed to strike out the remainder of the line and all of lines 20 and 21 and insert in lieu thereof the following: "and shall not apply to the permanent annual appropriations for vocational education, colleges for the benefit of agriculture and the mechanic arts, or cooperative agricultural extension work."

Mr. BYRNES. Mr. President, if the Senator will yield to me for a moment, by the amendment which I offered and which was adopted the language to which he refers has been stricken from the section. Of course, that part of the Senator's amendment which seeks to add the direction that these items should not be included would be pertinent, but I call his attention to the fact that the words which he moves to strike out already have been stricken out.

Mr. AUSTIN. That being so, I perfect my proposed amendment by striking from it the words that are duplicated in the amendment suggested by the Senator from South Carolina and already adopted.

The PRESIDING OFFICER. The clerk did not catch the modification of the amendment by the Senator.

Mr. AUSTIN. I understand that in the last amendment adopted there was a clause which struck out the same words which my proposed amendment would strike out; that is, in lines 19, 20, and 21, after the word "debt." Now, therefore, I wish to perfect my amendment by striking out of the amendment that is printed that direction to strike out. Is that clear?

Mr. BINGHAM. In other words, what the Senator from Vermont wants to do is to add some language to the bill; he does not want to strike out anything?

Mr. BYRNES. After the word "banks," which is the last word of the amendment which has been adopted, to add the language that the Senator has offered.

The CHIEF CLERK. After the word "banks," in the amendment heretofore agreed to, it is proposed to insert:

and shall not apply to the permanent annual appropriations for vocational education, colleges for the benefit of agriculture and the mechanic arts, or cooperative agricultural extension work.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Vermont to the paragraph, as amended.

Mr. AUSTIN. Mr. President, I want to say that this proposed amendment contemplates the same objective as that sought by the amendment of the Senator from South Dakota [Mr. NORBECK]. I speak of this because I know that many Senators have received communications relating to the so-called Norbeck amendment, which proposed to strike out certain words so as to leave vocational education free from the limitation of this provision.

Mr. NORBECK. Mr. President—

The PRESIDING OFFICER. Does the Senator from Vermont yield to the Senator from South Dakota?

Mr. AUSTIN. I yield.

Mr. NORBECK. As I understand, the amendment of the Senator from Vermont is broad enough to include the amendment I originally offered.

Mr. AUSTIN. Yes.

Mr. NORBECK. The Senator has added agricultural colleges, while my amendment covers vocational training only.

Mr. AUSTIN. Yes.

Mr. NORBECK. I like the Senator's amendment very well; I think it is to the point and will be very helpful. I regard the broader amendment as an absolute necessity.

Mr. AUSTIN. Mr. President, in the proposal contained in the committee amendment, the objectionable thing about section 19 from our viewpoint is that it undertakes to change the law so that permanent appropriations for the support of agricultural colleges, the agricultural extension service, and vocational education shall become annual appropriations. On its face that seems to be an innocent proposal, and when it is suggested that its purpose is to have the Appropriations Committee consider these items annually it has plausibility, but when it is considered as a measure of economy one must realize that it deals with general legislation of a very precise and scientific character.

The scheme of cooperative education along the lines of agriculture and the mechanic arts was designed to aid boys and girls who are not so situated in life that they may enjoy high-school education, academy education, or higher education; boys and girls who must work at the same time they are supposed to be in regular schools at regular hours. When we realize that the objective of these measures, embracing the Morrill law, the so-called Smith-Lever Act, and the so-called Smith-Hughes Act, was to train the young folks of our country to be better qualified to support themselves and to support their Government, then we understand that the objective is most beneficent and should have an especially strong appeal to us in a time of distress like the present. In other words, there is no economy in taking away from young men and young women of this country the means of obtaining an education which otherwise they could not possibly enjoy.

Recent surveys by competent authority demonstrate that 9,500,000 boys and girls who ordinarily find the means of education in high schools and other regularly established

schools are denied the opportunity because States and local communities are no longer able to maintain them. When we realize that such a condition, together with the poverty of individuals, operates to render more people unemployed and less competent to be employed, then we know that any measure that would interfere with the cooperative education in which the Federal Government and the State governments combine is not economy but is extravagance. So the provision in the bill is wrong because of its main objective; it is not a measure of economy at all, but is, we claim, a measure of extravagance.

There is, however, a further reason why these appropriations should not be changed from a permanent to an annual basis. In order to insure the efficient administration of these funds and the execution of the purpose intended by their appropriation, Congress created a very delicate and specific piece of machinery, so that the States and local communities could be coordinated with the Federal Government, and so that we would not be appropriating more than necessary and the States would be appropriating sufficient to perform this service.

It will be remembered that the legislatures in many of the States meet biennially, and I understand that the Legislature of the State of Alabama holds its session only once in four years. If these funds are to be appropriated annually and are not to have that stability and permanence which the original design of the plan contemplated, then every odd year the States will not be able to know what funds they are going to receive from the Federal Government because the Federal Government will not have appropriated those funds. So the States will be unable to match the funds as they must do as a condition precedent to enjoying the appropriation. In other words, the whole plan of cooperation between the States and the Federal Government depends upon a permanent appropriation.

The design is carried beyond the legislatures of the States, and, in order to have the scheme function as was contemplated in the minds of the great statesmen who planned to educate the less fortunate children of our States in this manner, communities must cooperate, and boards of education have to be established to coordinate all the work in the several branches of the plan in the various villages and hamlets throughout the States. We reach rural communities in that way; we reach industrial towns in that manner. We find large industries affording evening schools in their plants for the purpose of providing industrial education. We find teachers who are willing to enter into contracts to carry on this work because they have some assurance of stability in that employment. Take away that stability, take away the possibility of planning for a long time, and this whole scheme is ruined.

Furthermore, it is a very inexpedient thing to do. It is wrong in policy; it is not economical; it is destructive; but we say it is also entirely inexpedient. The law which sets up this appropriation as a permanent fund provides that there shall be reported annually by the various State treasurers the amount of money expended under these laws, the details and the manner of its disbursement, and then here in Washington by several of our departments such reports are passed upon, until finally a report is submitted to Congress. The condition upon which any State shall receive aid and cooperation under these funds is that it has made that annual report.

Let me call attention to the provision in the Smith-Hughes Act, which is the vocational-education plan, and which involves altogether \$6,663,160, and it will be seen to what I refer:

On or before the 1st day of January in each year the Federal Board for Vocational Education shall certify to the Secretary of the Treasury each State which has accepted the provisions of this act and complied therewith, certifying the amounts which each State is entitled to receive under the provisions of this act.

Mr. President, it can be clearly seen that when Congress is sitting here in an off year for a State—a year in which a State does not hold a session of its legislature—this plan is entirely unworkable.

In other words, the amendment seems ill-advised because it does not synchronize with the legislation creating these funds; and boldly, by a stroke, to change these funds from permanent funds into annual appropriations without an interchange in this machinery which has been worked out so carefully, and in such detail, creates havoc.

The PRESIDING OFFICER. The time of the Senator from Vermont has expired.

Mr. AUSTIN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. AUSTIN. May I continue in the time allotted on the bill itself?

The PRESIDING OFFICER. The Chair is informed that the Senator from Vermont has not spoken on the bill. The Senator is recognized for 15 minutes.

Mr. AUSTIN. I last mentioned the Smith-Hughes Act. The Smith-Lever Act contained a similar provision. Both of these measures require that the moneys expended under these acts shall be matched by the States.

Mr. President, I wish to be thoroughly understood as being in entire harmony with all plans for economy, both by the Federal Government and by our States. I have sometimes felt that these various schemes requiring States to match Federal funds have a tendency to pull our States into a more expensive course—it may be truly an economic course in the long run, but it puts a greater burden upon the States—than otherwise would be assumed if it were not for these matched funds. So I would not be opposed to having these noble endeavors cut somewhat to fit the condition of depression in this country; and I am perfectly confident that those who are directly in charge of the administration of these funds in agricultural colleges and in these extension services and vocational educational schools would be perfectly willing to have economy practiced upon them as it is practiced in this Congress upon all other activities. I believe the States probably would welcome such a proceeding; so it would not be amiss at all, as a matter of actual economy here, if the appropriations for agricultural colleges and for agricultural extension service were cut accordingly as other activities of this character have been cut heretofore, and that that cut should be in effect so long as the various other appropriations of the Government suffer a horizontal cut.

I mention this because I would not be understood as standing here and resisting a measure of actual economy; but what I urge for the adoption of this amendment is that the measure at which it is aimed accomplishes no economy whatever, and, on the other hand, adds a considerable burden.

Picture the situation with that measure passed, changing these appropriations into annual appropriations, and what will we have here? Those who are so busily engaged in administering these funds out on the mountain sides of our States and in the plains will be obliged to come away from that useful service and come down here to Congress annually to protect their interests, wasting the money which otherwise could be actually applied to the objective of those who conceived these plans.

Mr. KING. Mr. President, will the Senator permit an interruption?

The PRESIDING OFFICER. Does the Senator from Vermont yield to the Senator from Utah?

Mr. AUSTIN. Certainly.

Mr. KING. Does the Senator understand that when this plan was inaugurated by wise men, as he denominated them, it was contemplated that it should be something in perpetuity?

Mr. AUSTIN. Yes.

Mr. KING. My understanding was that it was an experiment, and that finally the States would see the benefit of it, if it had any benefit—and doubtless it has—and they would then assume the responsibility. They did not believe that a policy which led to the matching by the Federal Government of State activities, or vice versa, would, in the long run, make for the benefit of the country.



Mr. AUSTIN. I took some pains to examine the old RECORDS in order to ascertain the attitude of legislators and educators on this subject; and it gives me great pleasure to refer to the comments of a man whose wisdom and experience in both activities I very much depend upon. I have great confidence in his judgment. I refer to the remarks of the then Representative FESS, made in the Sixty-fourth Congress, second session, volume 54, page 6, pages 81 and 82:

There are those who think that vocational training should be left to the States. It is argued that it is not a national question. Mr. Speaker, I have stated the general grounds for this new step in our education, and I feel sure every ground argues it a national import. There are States in this Union in which this education would be important but which could not successfully alone carry it on, due to the already overburden of caring for general education. There are States with such widely varying resources that an education to develop them would be a national asset. Labor is so volatile, so mobile that a worker trained in one State is quite likely to devote his energies in other States. A very large per cent of our citizens live in communities other than those in which they were born. In other words, burdens required to train a worker may not be compensated by that worker remaining in the State which assumed the burdens; he may operate in various States; his service is national and his training should be assisted by the Nation. The problem of vocational training frequently takes on a national phase, not only in its comprehensiveness but in its character. The size of the problem is commensurate with the national importance of its proper solution.

And at another point in the RECORD, Representative FESS made this statement:

Vocational education invites a field of expert study and investigation. We have the rarest facilities here in various Government agencies to conduct these investigations. They can not be made by the States. They can be and should be made by the Nation. In this way the problem can be studied not only as a national one but in all its relations to the various States, with their varied conditions.

The problem is peculiarly national, and while the Nation will not supersede the State in its school system, it must assist the State to reach the results needed and only possible through national assistance.

I interpret that to be the language of a statesman dealing with a fundamental problem which reaches into the future and has an objective which justified making the appropriation for that service a permanent one.

There is nothing in this act that prevents the reduction of the amount of these appropriations at any time that Congress sees fit to make the reduction, and it might see fit to do so this year as it did last year with one of these funds—that is, the one devoted to vocational education; and I am not opposed to that. The thing that I am opposed to is taking from the roll of permanent appropriations these particular things which seem to me a sound, stable basis for planning, because we are dealing with thousands of children; we are dealing with thousands of teachers; and I will ask how we could hope to maintain an educational system of this character, which requires coordination of small villages with States and with the Nation, without some sure understanding as to what the prospect for years would be.

There is another thing about this:

These plans—the Morrill Act, the Smith-Lever Act, and the Smith-Hughes Act—all hold out a continuing representation to the public of the United States to which they reacted through great philanthropists. The gift of those original lands—30,000 acres for every Representative and Senator that a State had in Congress in 1860—as a permanent foundation for an agricultural college, and the appropriation of \$50,000 annually as a permanent appropriation, have meant to philanthropists and educators the nucleus for a development in which they were willing to cooperate, because they believed that it was permanent. The whole theory of education necessarily depends upon permanence; and it will be disastrous if we change these appropriations into annual appropriations that call for a condition where even people from small communities will be obliged to watch constantly to see whether Congress is going to afford to them the financial sinews of their lives.

Mr. HATFIELD. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Vermont yield to the Senator from West Virginia?

Mr. AUSTIN. Yes, sir.

Mr. HATFIELD. How long has the policy been in operation?

Mr. AUSTIN. The Smith-Hughes Act was passed in the Sixty-fourth Congress; the Smith-Lever Act in the Sixty-third Congress; the Morrill law in 1860. It was amended in 1890, and then again in 1907. They have all been in operation a long enough time to establish the fact that they are of wonderful service to this Nation.

Mr. HATFIELD. Mr. President, will the Senator yield further?

Mr. AUSTIN. Yes.

Mr. HATFIELD. Surely long enough to establish a permanency in the administration of such a law.

Mr. AUSTIN. Yes, indeed.

Mr. DAVIS and Mr. KING addressed the Chair.

The PRESIDING OFFICER. Does the Senator yield; and if so, to whom?

Mr. AUSTIN. I yield first to the Senator from Pennsylvania.

Mr. DAVIS. Mr. President, as I understand, there are millions of dollars invested in schoolhouses, and they have recruited practically a million and three-quarters of students, and there are some 25,000 teachers engaged in this work.

Mr. AUSTIN. Thirty thousand.

Mr. DAVIS. Thirty thousand, I should say.

Mr. AUSTIN. Yes.

Mr. KING. Mr. President, will the Senator suffer an interruption?

Mr. AUSTIN. Very gladly.

Mr. KING. The Senator recalls that a few days ago, when there was some criticism of the Appropriations Committee because of its failure to introduce economies and its failure to report bills with sufficient reductions, the reply was made that there were so many permanent continuing appropriations, and the Appropriations Committee had no alternative than to report in the bills these continuing appropriations.

It seemed to me that the attitude of the committee was right and that Congress is to blame for there being so many of these continuing appropriations. It seems to me that these continuing appropriations are a handicap upon Congress, certainly upon the Committee on Appropriations. We bind and chain the Committee on Appropriations. We commit ourselves to appropriations for an indefinite period, though the receipt of income or changes in our economic and cultural situation might call for material changes in some of the instrumentalities and agencies in which the Federal Government and the States cooperate.

Does not the Senator think, without reference to this particular proposition, that it would be much wiser if we would cut out many of these indefinite and continuing appropriations, so that we would not be hampered every year by having the Committee on Appropriations when it meets being compelled to put into the appropriation measures appropriations which practically go back 10 or 15 years for their genesis?

Mr. AUSTIN. Mr. President, I very much admire the earnestness of the Senator from Utah to guard the Treasury of this country, and I sympathize with him in that effort. I believe I am as earnest in the desire to economize as he is, and having that view of the matter, I have to answer his question, no; these appropriations are not cut by this measure. Section 19 does not reduce the appropriations one cent. It adds the expense of having these people come here to Washington to secure appropriations annually.

More than that, Mr. President, it throws the whole plan out of joint. It does not go at the modification of a general law in an intelligent way and adapt the change to the machine.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. BINGHAM. Mr. President, with a great deal the Senator from Vermont has expressed I concur. I realize the value and the importance of these appropriations, and there is no desire on the part of the committee to strike out any of them or do away with the authorizations.

The Senator objects that if we do away with the permanent requirement, then, forsooth, the people interested have to come to Washington and ask that we pass their regular appropriations.

Mr. President, eternal vigilance is the price of liberty, and history shows that those institutions which are so endowed that they never have to ask for any money invariably become corrupt in a length of time.

The committee woke up one day to the astonishing discovery that every year the Government is spending money under permanent appropriations which the Congress has not considered for years. We did not realize the money was actually going out. It was not included in the totals of any particular appropriation bill. We were told the Department of Agriculture spent so many million dollars; that was in the regular annual appropriation bill. We did not recall that they also spent \$3,000,000 for meat inspection through the Bureau of Animal Industry. We had forgotten that. When the act providing for that was passed, many years ago, it was believed that the packers would oppose that inspection and, therefore, that there should be imbedded in the permanent law a provision for \$3,000,000 a year for animal inspection, so that those people interested in pure food would not have to come here every year and ask for that money.

In the course of time that inspection increased, and now in the agricultural appropriation bill Senators will see an appropriation of something over \$2,000,000 for animal inspection, and they think that is all we spend on that activity. They do not realize that imbedded in the permanent law is provision for an additional \$3,000,000.

Mr. President, all the committee wanted to do in its recommending was to bring before the Congress every year all of the appropriations on which the Government is spending its money, so that we may know, for instance, that we are spending \$18,000 on Coos Bay wagon-road grant, of which I venture to say scarcely anyone in the sound of my voice heard. We have spent that money year after year without knowing we were spending it at all.

Furthermore, we discovered that we were spending on the operation and care of canals and other works of navigation \$7,695,000, without a dollar of it being reported in the portion of the War Department appropriation bill covering rivers and harbors.

Mr. STEIWER. Mr. President, will the Senator yield to me?

Mr. BINGHAM. I yield.

Mr. STEIWER. The two interesting illustrations to which the Senator just called attention are not included within the purview of the amendment of the Senator from Vermont, who has just presented his proposal on the floor. Am I not right in that?

Mr. BINGHAM. That is news to me.

Mr. STEIWER. I think there is no controversy about matters of the kind to which the Senator from Connecticut has just now alluded.

Mr. BINGHAM. The Senator is mistaken, because the section reads, "All laws providing for permanent annual appropriations (whether specific or indefinite)."

Mr. STEIWER. If the Senator will permit me, of course, the matters to which the Senator has alluded are included in the amendment of the committee under section 19; but they are not included in the proposal of the Senator from Vermont.

Mr. BINGHAM. I understand that; I am merely giving the reasons why the committee proposes this action.

We discovered that there were several hundred laws which had been passed during the past 150 years; but very few, scarcely any that I can recall within the past seven or eight years, calling for annual appropriations, without having to

come through the Budget or through the Committee on Appropriations. In previous years it was the custom to pass a bill appropriating so much money each year, but now when such a proposal comes on the floor invariably some one asks that the language be changed to read "authorized to be appropriated."

What the Senator from Vermont proposes to do now is to provide that the money appropriated to the Department of Agriculture and to the Department of the Interior for the Federal Board of Vocational Education, more than \$15,000,000, which we appropriate each year, and which we probably will continue to appropriate, should not be brought to our attention in the annual appropriation bills, but should remain concealed, so the people who enjoy the benefit of that legislation need not have to come to Washington each year and ask us to make the appropriation.

It seemed to the committee that it was in the interest of good business that every dollar appropriated for these worthy purposes should be called to our attention every year by the Budget, referring to the law authorizing the appropriation, not reducing it, but calling to our attention the fact that that was what we were spending, so that we and the taxpayers we represent might know what we were spending and not be spending it in the dark.

Mr. WALSH of Massachusetts. Mr. President, will the Senator yield to me?

Mr. BINGHAM. I yield.

Mr. WALSH of Massachusetts. I understand that if section 19 is enacted there will be no change made thereby in any appropriation of any permanent character. It merely will permit the Congress each year to pass upon those appropriations which are now permanent appropriations and not subject to annual study and review?

Mr. BINGHAM. It is not proposed to change the authorizations at all.

Mr. WALSH of Massachusetts. So it is not a question of economy; it is a question of permitting the Congress, if it desires, to exercise economy, but it need not do so unless it chooses.

Mr. BINGHAM. Mr. President, the Senator well knows that no business concern in the world would permit its annual statement of receipts and expenditures to conceal, by making no reference to, a lot of expenditures which had been authorized to go on year after year. This is an effort to bring to our minds the money we are spending.

Mr. WALSH of Massachusetts. It seems to me this is a good time to take the action.

Mr. BINGHAM. This provision is that the amounts now provided in such laws shall not be exceeded, but the amounts which are provided by the authorizations are to remain as before. If these appropriations are of so little general value, if they are of so little real public interest, that they can not stand annual revision by the Budget and the Congress, they ought to be repealed. But we do not propose to repeal them. We merely ask that those proposing them come before the Congress each year and present their case.

Mr. BYRNES. Mr. President, will the Senator yield to me?

Mr. BINGHAM. I yield.

Mr. BYRNES. The only result would be to present to the American taxpayers a picture which would show them for what purpose their taxes are being spent.

Mr. BINGHAM. The Senator is entirely correct.

Mr. VANDENBERG. Mr. President, will the Senator yield to me?

Mr. BINGHAM. I yield.

Mr. VANDENBERG. It occurs to me that there is analogy in banking to the situation which the Senator brings to the attention of the Senate. It used to be a general practice to put notes in the form of demand notes in banks so that they would run on indefinitely without often coming to the attention of the board of directors. The banking authorities of the country found it necessary to issue very stringent instructions to the banks requiring that demand notes be



superseded by time notes so as to bring them under periodical review. I think that is precisely the situation.

Mr. BINGHAM. The analogy is perfect. Before I take my seat—and I do not desire to prolong the debate—may I call the attention of the Senate to the fact that the Budget Director, when invited by the committee to express his opinion in regard to this provision, said:

It would seem to me that all of the permanent specific appropriations could, with benefit, be repealed; and those whose continuance must be provided for, handled on an annual appropriation basis.

That is all the committee proposes.

Mr. LA FOLLETTE. Mr. President, the Senators defending the position of the committee utterly fail to recognize the vital point involved in this proposition, namely, that the educational activities involved are a joint enterprise carried on by the States, the counties, the cities, and the Federal Government. It has taken years to establish the set-up. The moment the continuity of these appropriations is jeopardized, the whole system will be destroyed, and we might just as well face the issue.

This is a flank attack upon these educational enterprises which have been carried on and have been a part of our national policy. At the very time when the educational institutions of this Nation are in grave danger because of ever-diminishing resources of the localities, the States, and the counties, it is proposed to strike a left-handed blow at the splendid work which has been done under these three permanent provisions for appropriations for educational purposes.

Mr. President, there is another very important point in the situation. To-day, with millions of persons unemployed in the United States, this is one of the few great countries of the world which has not recognized the importance of providing educational advantages to those who are thus forced to remain idle. In most of the countries the authorities have recognized that in order to maintain morale it is necessary to expand the educational opportunities offered to the adult instead of to curtail them.

The Senator from Connecticut makes a very plausible argument, in which he mentioned some appropriations for canals and for something that has to do with Coos Bay. I know nothing about those permanent appropriations, but they have no bearing upon this argument. The question Senators should decide to-night is whether or not by indirect action they propose to repeal the provisions for the establishment of the agricultural colleges and assistance in their support by the Federal Government, for the establishment of the agricultural extension service and assistance for its support by the Federal Government, and for the establishment of vocational education and its support, in part, by the Federal Government. If section 19 is adopted without the amendment offered by the Senator from Vermont, Senators will have voted to cut off these activities so essential during this critical period.

Mr. President, Senators are familiar with the machinery of State government. Many of them have been governors of their respective States. They know full well that in practice, unless a State government may know definitely the amount of money which is to be provided by the Federal Government in carrying out such a joint, cooperative enterprise, it is impossible for the State to budget its share of the expenditure, and in those States where legislatures meet less often than once every two years it will be a virtual impossibility, unless a special session of the legislature be called, to treat with this one particular problem.

Furthermore, I want to point out to the Senate that in good faith the States, joining this partnership with the Federal Government to carry on this educational work, have appropriated money for buildings and made contracts with teachers which are predicated upon the continuation of support, in part, by the Federal Government. The amendment would jeopardize the continuity of those appropriations, and the States would be confronted with the possi-

bility that if the appropriation is to be upon a basis where it has to be ratified every two years by Congress the support will be cut off at some future time.

Mr. GEORGE. Mr. President—

The PRESIDING OFFICER (Mr. DICKINSON in the chair). Does the Senator from Wisconsin yield to the Senator from Georgia?

Mr. LA FOLLETTE. I am glad to yield.

Mr. GEORGE. It is also true that the States were induced to enter into this enterprise of vocational education and the other activities indicated, and it is also true that the States, having entered into those enterprises, spent a good deal of money in anticipation of the continuance of the appropriations permanently or through the period of years fixed in the several acts. If they must come back to the Congress each year, with the uncertainty involved in congressional action, the whole program may be entirely disrupted. It is an act of bad faith upon the part of the Congress to fix an appropriation over a series of years of so many dollars and ask the States to match the appropriation, ask the States to spend their money, and have the States do it, and then, in an indirect way, under cover, decline to carry on those appropriations.

I believe that most of the Senators who are opposing the amendment offered by the Senator from Vermont [Mr. AUSTIN] are Senators who originally were opposed to every feature of those measures, or the principle involved in the measure. It is nothing less than an act of bad faith to induce the States by an appropriation specifying a given amount to be made annually over a definite period of years, and then subsequently to have the Congress in an indirect way like this, when the program is yet in progress, to say, "You must come back every year and see if Congress wants to continue it."

Mr. LA FOLLETTE. I thank the Senator from Georgia for his very succinct statement of the question at issue. Of course, everyone familiar with the attitude of the chairman of the Economy Committee knows he has fought tooth and toe nail against every cooperative enterprise proposed to be undertaken by the several States and the Federal Government. I remember one occasion when he conducted a very effective filibuster against a proposal for a cooperative enterprise in another field.

Mr. President, I am not afraid to face the issue when it is stripped of its economy mask. If Senators want to repeal these laws, let them bring in a proposal to do it and let us have the chance to face the issue on its merits. But it is not fair to attempt to hamstring and destroy these three great educational projects by making the appropriations contingent on action by Congress every two years. Therefore, Mr. President, I trust that the amendment offered by the Senator from Vermont will prevail.

Mr. ODDIE. Mr. President, I agree very strongly with what the Senator from Wisconsin [Mr. LA FOLLETTE] just stated in regard to the amendment of the Senator from Vermont [Mr. AUSTIN]. I have listened carefully to the able and forceful statements of the Senator from Vermont. He has presented this case most convincingly, and I fully agree with him. I also commend the able and interesting statements of the Senator from South Dakota [Mr. NORBECK], also that of the Senator from Georgia [Mr. GEORGE], and I feel that they have been clearly and forcefully stated. The Congress would be breaking faith if it does otherwise than to accept the amendment.

Let me read a letter that has come to me from the president of the University of Nevada, Dr. Walter A. Clark, a very able economist and scholar, as well as a distinguished and able educator and executive. He touches upon this matter in a very clear form. A somewhat similar statement could be made by the president of any of a number of other universities. I think President Clark states the situation in a very clear manner. It applies to other States equally as well. He wrote me as follows:



UNIVERSITY OF NEVADA,  
Reno, Nev., January 17, 1933.

HON. TASKER L. ODDIE,

Senate Office Building, Washington, D. C.

MY DEAR SENATOR: I know that Director Creel has already wired you with reference to section 19 as proposed by Senate committee amendment to the appropriation bill for the Treasury and Post Office Departments, H. R. 13520.

The effect of this amended section 19, as originally proposed, would be to remove several standing appropriations of which our University of Nevada has been the recipient. Particularly the Morrill fund standing appropriation of \$50,000 a year and the standing appropriation under the Smith-Lever Act for agricultural extension. The amendment does not propose absolutely to do away with these grants, but it does propose, from and after June 30, 1933, to take away the permanent character of these appropriations and thereby make them hazardous and uncertain items of the appropriation bill.

So far as the Morrill fund grant is concerned, it is the standing annual grant made to all the colleges of agriculture and mechanic arts in each State which has such a college. It is the very important continuing Federal grant in keeping with the splendid Federal plan started by the Morrill Act of 1862, and continued with supplemental acts, which has built up in nearly all the States of the Union these colleges of agriculture and mechanic arts. In the large and wealthy States this \$50,000 a year would be a real loss to the college of agriculture and mechanic arts, but would not be a heavy proportional loss because of their already large sums available for annual use. In the less wealthy States and in the small colleges of agriculture and mechanic arts this \$50,000 is a much higher proportion and such institutions would be seriously crippled. Our institution would probably be more crippled than any other in the country, since the \$50,000 annual Federal Morrill grant is between 15 and 20 per cent of the entire available money for the operation of our University of Nevada. The annulment of this grant, particularly at this crisis time for Nevada, would very nearly put the university out of commission. The change of this grant from its present permanent status to an annual status would mean for our university annually very serious hazard.

You will have in mind, too, I hope, that it is in connection with the Morrill Act establishments that the military training courses have been an obligation of the land-grant colleges. I believe that if this Morrill \$50,000 grant were to be annulled the whole Reserve Officers' Training Corps, important branch of the national-defense plan, would be seriously jeopardized.

The other standing fund which I understand to be imperiled by this proposed amendment is the fund for the support of the Smith-Lever work. In my judgment, the work done under the Smith-Lever Act in the various States, much of it recently done in effective cooperation with the State farm bureau organizations, is some of the best and most important educational work that is being done in the world.

It would be a great pity if at the call of economy, in this stressful hour for the Nation and the world, the Government should withdraw from its long standing, continuing pledge of support to the splendid service work of the land-grant colleges of the country, and from the very remarkable educational service in the betterment of rural living which has been given through the Smith-Lever development.

As a matter very vital to the effective continuation of the University of Nevada and to the agricultural development of Nevada and, in my judgment, as a matter of high importance to all the States of the Union, I urge that this amendment, section 19 to H. R. 13520, should be defeated. In case that you do not deem it practicable to secure the defeat of this amendment I very sincerely urge that you will help secure the adoption of an amendment to this amended section 19, H. R. 13520, which amendment will prevent the damage I have outlined above. I understand that such amendment will be offered either by Senator STEIWER, of Oregon, or by Senator AUSTIN, of Vermont. This amendment will propose to add between the word "education" at the very end of section 19 and the period the following: "agricultural extension and colleges of agriculture and mechanic arts."

I hope, also, that you would help secure the passage of another amendment to be offered by Senator NORBECK to eliminate from section 19 as proposed the words in the last two lines, "during the fiscal year ending June 30, 1934."

The effect of these two amendments to the amendment would be to leave the Senate committee's section 19 then reading at the end of this section, "shall not apply to permanent annual appropriations for vocational agriculture, agricultural extension, and colleges of agriculture and mechanic arts."

No proposed congressional legislation of which I have learned in my years in Nevada would be so damaging to Nevada's State university and to the agricultural development of Nevada after this business crisis has passed as this proposed Senate committee's section 19, H. R. 13520, in its original form. You will be doing our university and our State a stalwart service if you do help defeat these proposals to take away the permanent character of the Federal Morrill fund appropriation and Smith-Lever appropriation.

With best wishes, I am, cordially yours,

WALTER E. CLARK, President.

I accept the amendment of the Senator from Vermont and hope it will be agreed to.

Mr. McNARY. Mr. President, I am warmly in accord with the distinguished Senator from Vermont [Mr. AUSTIN] and his statement has been a real contribution to the subject. For many years he has been interested in extension and service work. I am very happy indeed that we have a great friend of agriculture in New England.

There are two factors involved: One is extension service and the other is experimental service. The experimental service is the most vital of all the activities of the Department of Agriculture. The extension service gives to the public the results of the experimental work done by that institution. This proposal of the committee would curtail the work which the States are doing in cooperation with the Federal Government. Simply expressed, as so ably stated by the Senator from Wisconsin, no plan could be devised which would more completely interfere with the progress of this work from year to year.

I have in mind, as chairman of the Committee on Agriculture and Forestry, a great many projects, many of which are dependent upon cooperation with the States. Take the corn borer, for instance. If we did not have a long-time plan, we could not have made the fight to control the corn borer, the gypsy moth, the Japanese beetle, and the white-pine blister which for so many years infected the great desidious trees of New England. All these projects, even including the cattle tick in the South and the boll weevil and the boll worm, have been based upon work done under the several bills which passed years ago, and finally were consummated in what is known as the Purnell bill of 1929. They all have for their purpose a program of work by the various States and the Federal Government in cooperation on a long-time view.

Now, to-night to adopt an amendment such as the committee has designed, which would end every year the appropriation for these purposes, would be to adopt a plan under which no State could carry on the projects that have so well been undertaken and so well cooperated in for the many years. I think it would be one of the most ruthless things ever known, after we have taken care of the diseases that affect our animals, our fruits, our vegetables, to attempt at this time to eliminate the possibility of continuing that program. I am glad the Senator from Vermont [Mr. AUSTIN], my colleague the junior Senator from Oregon [Mr. STEIWER], the Senator from South Dakota [Mr. NORBECK], the Senator from Nevada [Mr. ODDIE], and the Senator from Wisconsin [Mr. LA FOLLETTE] are cooperating in the matter. If we are going to destroy this work, let us do it by simply adopting the committee amendment. If we are going to continue in the line suggested by the Senator from Vermont we should vote down this proposition of the committee and adopt his amendment.

Mr. FESS. Mr. President, the Senator from Oregon has spoken specifically about the phase that is more particularly identified with agriculture. I would like to say just a word about the origin of the legislation with reference to other subjects than agriculture.

It seems an interesting coincidence that the Senator from Vermont [Mr. AUSTIN] is making the initial fight to continue this particular service, because all who are acquainted with the vocational-education movement will recall that one of his famous predecessors, the late Senator Page, of Vermont, was identified with the movement for 15 years in this body. Everyone familiar with his efforts will recall the Page vocational-education project. But he never could get action from both of the bodies at once. If one body of Congress acted, the other would not.

Finally after 15 years of effort, through the cooperation of a famous Senator from Georgia, Senator Hoke Smith, and a Member of Congress from Georgia, Congressman Hughes, there was a move started for the creation of a commission to study the vocational educational problem in the United States. That commission was appointed by President Woodrow Wilson, and I happened to be honored by being selected one of the members of the commission. Senator Hoke Smith and Senator Page represented the Senate. Representative



Hughes and myself represented the other House. Then, in addition to the four Members of Congress, were seven selected outside of Congress, headed by the famous Charles Prosser, who now, I think, is at the head of the Dunwoody Institute in Minneapolis.

We held hearings for a period of something like six months and assembled a very valuable body of facts. After months of effort a bill was drafted by that commission and introduced in the House of Representatives by the Member from Georgia, Mr. Hughes, and in the Senate by the then Senator from Georgia, Mr. Smith. That law is known as the Hoke Smith law. A fundamental feature of that particular act was the provision for an appropriation, small the first year, beginning about 1918, a little larger the next year, and still larger the next year, until in 1926 the appropriation was to be at least \$3,000,000. Thus an annual appropriation was provided for the purpose of education on commercial and economic subjects.

Mr. BINGHAM. Mr. President, on behalf of the committee, I am perfectly willing to accept the amendment offered by the Senator from Vermont.

Mr. FESS. Mr. President, the Senator from Connecticut is not going to take me off the floor on that basis.

Another feature of the bill provided for agricultural education; and an annual appropriation of \$3,000,000 from 1926 was provided for that purpose. Further, an appropriation of \$1,000,000 was provided for the training of teachers. So the law now provides for annual appropriations of \$3,000,000 for commercial and economic education; \$3,000,000 for agricultural education, and a million dollars for the training of teachers. Those appropriations were to be permanent for the reasons stated by the Senator from Georgia [Mr. GEORGE].

I agree with the Senator from Wisconsin and the Senator from Georgia, that if we desire to repeal this law we should repeal it; and I am perfectly willing to have brought before us for discussion a proposition to repeal the law and to have that question determined; but, as was stated by the Senator from Georgia, those who are sponsoring this new proposal are the ones who have opposed not only this particular legislation but legislation of a similar character.

I want to call attention to the fact that the Senator from Utah—I regret that he is not present—referred to the purpose of this education as temporary, stating that it was to inaugurate a movement which should be subsequently discontinued. That is not true. If there is any element of permanency in any legislation, it is in this legislation. There is no limit of time at all. The first appropriation in 1918 was small; then it was gradually increased up to 1926, when it reached the maximum, and was to be made annually from that time on, not only to provide education along commercial and economic lines but also along agricultural lines and for the purpose of training teachers. That is the permanent law, and we are making these annual appropriations under the law without any new authorization whatever. If, however, we want to eliminate them, if we have come to the conclusion they ought not to be continued, all right, let us bring the proposal here and ascertain what policy should be adopted.

It is true that the assistance furnished by the Federal Government to promote maternity education was regarded as temporary; that was for a term of years, with the thought that after a certain period it would be discontinued; but that is not true as to vocational education. There is no element of a temporary character in it; it is permanent; and I certainly think this body is not going to reverse the action of Congress upon vocational education.

Mr. CAPPER. Mr. President, I indorse everything that has been said by the Senator from Vermont and the Senator from Ohio about this proposed amendment, and I wish to ask to have printed in the RECORD telegrams from F. D. Farrell, president of the Kansas State Agricultural College; from W. A. Brandenburg, president of the Kansas State Teachers College; and from Ralph Snyder, chairman of the committee of Kansas farm organizations, protesting against the Senate committee amendment.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

MANHATTAN, KANS., January 13, 1933.

Senator ARTHUR CAPPER:

Am informed Senate committee amendment of section 19 of House bill 13520 proposed to eliminate as permanent items the appropriations made under the Morrill-Nelson, Smith-Lever, and Smith-Hughes laws, and to put these items on basis for annual consideration. The discontinuance of the permanent feature of these items would remove the greatest single factor for stability, orderly development, and effectiveness of the educational activities of land-grant colleges and of vocational education. This stabilizing factor is particularly important because of recurring need in the States to reduce State support temporarily. Trust you will support preservation of permanent feature.

F. D. FARRELL.

TOPEKA, KANS., January 9, 1933.

Senator ARTHUR CAPPER,

United States Senate:

Permanent appropriation feature of Smith-Hughes Vocational Education Act very essential to progress in development of program. The fact of permanency gives confidence to boards of education and school superintendents. Has been great thing for Kansas; most popular throughout State. Any change whatever affecting automatic permanency very undesirable.

W. A. BRANDENBURG,

President Kansas State Teachers College.

TOPEKA, KANS., January 13, 1933.

Senator ARTHUR CAPPER,

Washington, D. C.:

We have information that movement on foot in Congress to cripple experiment stations, vocational schools, and extension work by eliminating permanent Federal appropriations. Surely we should not do this. Other Kansas farm organizations join me in protesting such action.

RALPH SNYDER,

Chairman Committee of Kansas Farm Organizations.

Mr. BINGHAM. I ask that the committee's amendment may be amended in accordance with the suggestion of the Senator from Vermont, in order that we may make progress on the bill and not have this question debated any further.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the paragraph reported by the committee is modified accordingly.

Mr. REED. Mr. President—

Mr. BINGHAM. Has section 19, as amended, now been adopted?

The PRESIDING OFFICER. Is there further amendment to section 19? If not, the question is—

Mr. GORE. Mr. President, I merely wish to make one observation before the vote is taken. I think the telegrams just put into the RECORD by the Senator from Kansas [Mr. CAPPER] and the letter read into the RECORD by the Senator from Nevada [Mr. ODDIE] both condemn this character of legislation. They amount to nothing more nor less than lobbying to obtain money out of the United States Treasury for purely local purposes. When once we start this policy we can never stop it. It just shows that when the lips of a State institution are once attached to the udder of the General Government they can not be riven loose. I think those letters are improper in this place and ought not to be admitted into the RECORD.

I have as strong a sympathy as anybody for the agriculture and mechanical colleges, and for the work they have done; but, if the legislation of Congress in aid of vocational education is not temporary, it ought to have been. The only justification for legislation of that kind is to induce the States to appreciate the importance of the undertaking; and, if it be important, the State then can carry on and discharge its own duty to its own people. There is a clear line of demarcation in respect to legislation of this kind. Any system or policy which can be instituted by a single State and carried on with success, not involving cooperation with any other State, ought to be left to the individual State.

There are some policies which can not be successfully carried on by a single State. The cattle tick, the grasshopper, the malarial mosquito fall in this category. The malarial mosquito is not a State rights creature; he has no respect for State boundaries. In order successfully to exterminate that disease and death breeding pest, cooperation is necessary, and cooperation between the General Govern-

ment and the local governments is not only justifiable but necessary. Are not the individual States qualified to maintain vocational education if they find it necessary to the welfare or the progress of their people? Why should the General Government perform a purely local function of that character?

The policy of matching dollars on the part of the General Government with the State governments is a dangerous policy. It breeds extravagance; it encourages excessive appropriations and expenditures; and we have witnessed here to-day the danger of embarking upon such policies.

I would not have Senators feel so much concern lest these appropriations be revoked or diminished. That would be contrary to all human precedent and to all human experience. Who ever economized? Who will economize? Economy is a virtue preached by all and practiced by none. Everybody wants to economize with respect to some appropriation in which he feels no concern. Here come the president of a State university and the president of an A. and M. college, urging the Congress of the United States, charged with administering the National Treasury—a treasury now empty—not to permit a reduction? No; not that; for no reduction is proposed. The only suggestion is that these appropriations, which are now permanent, should be provided for each year so that the Congress may know what it is doing. One of our appropriation bills carries \$2,000,000 a year for one of the purposes referred to by the Senator from Connecticut, namely, for meat inspection. In addition to this there is a permanent appropriation of \$3,000,000. Many a Senator was unconscious of that, perhaps. There would be less demand to increase temporary appropriations if the permanent appropriations were known and were before the eyes of Senators when we are making these appropriations.

Mr. President, when and where shall we begin to economize and to relieve the deficit in the Treasury, which threatens destruction to the American taxpayer? Every concern, every institution, every individual that seeks money out of the Treasury of the United States has champions on this floor, has champions on the other floor. Who stands up to defend the taxpayer when these raids on the Treasury are made?

Mr. REED. I send to the desk an amendment.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 82, after line 21, it is proposed to insert a new section, as follows:

SEC. —. Section 322 of Part II of the legislative appropriation act, fiscal year 1933, is amended by adding at the end of the section the following proviso: "Provided further, That the provisions of this section as applicable to rentals shall apply only where the rental to be paid shall exceed \$2,000 per annum."

Mr. REED. Mr. President, I am offering this amendment at the request of the Senator from Rhode Island [Mr. HEBERT], who is compelled to be absent to-day. Section 322 of last year's economy bill provides that the Government in renting property shall not pay over 15 per cent of its appraised value. That appears to be a sound principle; but the Department of Justice has found, for example, that in Alaska, where it is necessary to have a lock-up or jail in a remote and distant region, it is impossible to rent a log cabin because there is nobody in the neighborhood except a deputy marshal who is interested, and the Indians, who are scarcely qualified to be appraisers, and the Comptroller General will not permit such a cabin to be rented, although the rent may be only a couple of hundred dollars a year, without first having an appraisal made, and it would cost a thousand dollars or more to get a white man out to that distant place and appraise the property. That is one difficulty.

Another is that it has been found, in renting a single room in an office building—and several cases were given us where that has been done—a single room can not be rented until the value of that room has been appraised and certified to the comptroller; and he will not accept an appraisal of the

entire office building as evidence of the value of one room, and there is nobody in the world who knows how to appraise the fee of a single room in an office building.

While the 15 per cent restriction is eminently proper, and I would not think of asking to have it changed, yet it is obviously senseless to require an appraisal to be made—and in a large city these appraisals cost from \$250 up—where sometimes the rent does not amount to as much as the appraisal fee. So, for practical purposes, it has been suggested by representatives of the Department of Justice that this limitation be put in.

Mr. BLAINE. Mr. President, will the Senator yield for a question?

Mr. REED. I yield.

Mr. BLAINE. As I understand, the 15 per cent limitation does not apply until the rental is \$2,000 per annum or over.

Mr. REED. It begins to apply when the rental reaches \$2,000.

Mr. BLAINE. Heretofore it applied no matter what the rental might be?

Mr. REED. Yes; and in these small rentals it has been found extremely embarrassing.

Mr. BINGHAM. Mr. President, I have discussed this matter with the junior Senator from Rhode Island [Mr. HEBERT], who explained it, and I think there is no objection to it.

The PRESIDING OFFICER. The Chair understands that the Senator offers it as a new section.

Mr. REED. Yes.

The PRESIDING OFFICER. The vote will come first on the amendment offered by the Senator from Vermont [Mr. AUSTIN].

Mr. REED. The Senator from Vermont has not offered any amendment to my amendment.

The PRESIDING OFFICER. No; but the negative vote was not taken. The Senator from Oklahoma was recognized. The question is on the amendment offered by the Senator from Vermont [Mr. AUSTIN] to the paragraph, as amended.

The amendment to the amendment was agreed to.

The PRESIDING OFFICER. The question now comes on the new amendment offered by the Senator from Pennsylvania to the paragraph, as amended.

The amendment to the amendment was agreed to.

Mr. BINGHAM. Mr. President, I should like now to revert to section 12, on page 77, which was passed, and reconsidered at the request of the Senator from Oregon [Mr. McNARY], because the Senator from Pennsylvania was not here. It concerns assignments of officers to our stations in the Philippines, China, Hawaii, Puerto Rico, and the Panama Canal Zone for not less than four years instead of two years, as at present.

May I say to the Senator from Pennsylvania that when this matter was considered by the Appropriations Committee it was clearly understood that if the matter went to conference the representatives of the Army and Navy would be heard in conference to see whether there was any reason in their minds as to the inadvisability of the 4-year period, which will save the Government about \$750,000.

Mr. REED. Mr. President, I think I can answer the inquiry, and I am going to try to endear myself everlastingly to the Senate by being brief.

The War Department appropriation act passed in March, 1915, put a maximum limit of two years on these tropical details.

Shortly thereafter, or about the same time, the chief surgeon general of the Philippine Department had reported that experience in the Philippine Islands had shown that after about two years of continuous residence a great majority of the people, even if they do not become actually ill, seem to undergo physical and mental deterioration. He added that that was particularly true of the women and children of the families of our troops who were stationed in those possessions. He summarized the reasons—I am not going to read the long report—as follows:



In addition to considerations of health, morale, and welfare of personnel are also major elements in efficiency. The following factors, usually inherent in a prolonged tour of foreign service, are among those which produce discontent, hardship, and lowered efficiency—

And some of these, I am sure, have not occurred to the Senate—

(1) Long separation from the United States, where all interests are centered; (2) inability to provide suitable schools for children without painful and long family separation and material expense; (3) separation from relatives of advanced age; (4) inability to attend to financial or property interests; (5) absence of normal companions, amusements, and recreations which keep the mind normal at home; (6) the continuous irritation of the heat, the rain, the natives, the insects, the artificial life, and innumerable minor environmental and psychological factors.

Then he goes on to tell us the effects on the health, the growing despondency, the breaking down of the vigor and the energy that the officer or enlisted man had when he went.

As I say, it was in response to that study that in the Army appropriation bill for the fiscal year 1916 we fixed the maximum limit at two years without the officer's consent.

Mr. McKELLAR. Mr. President—

Mr. REED. I yield to the Senator from Tennessee.

Mr. McKELLAR. While this amendment does fix the limit at four years, and while there is a great deal in what the Senator says, as I remember when the matter came up before in 1915, yet this bill provides that—

No such officer shall be transferred to duty in the continental United States before the expiration of such period unless the health of such officer or the public interest requires such transfer, and the reason for the transfer shall be stated in the order directing such transfer.

Mr. REED. That is very true.

Mr. McKELLAR. It seems to me that cures the very vice that the Senator points out. In other words, if the health of the officer was such as the Senator stated, or if there were reasons of public interest, the Army, in the conduct of its own affairs, would have justice done.

Mr. REED. I do not believe it could be said to be in the public interest, if one's wife and children were taken ill, that the officer himself should be returned. It does not concern his health and it does not concern the effectiveness of the Army, except most indirectly, to keep his wife and children there beyond the time when they can stay healthy. His father or his mother may be advanced in years, and the fact that they are in their declining years has nothing to do with his health and nothing to do with the public interest. He may have business affairs that demand his presence here. That has nothing to do with health or with the public interest.

The long and short of it is, Mr. President, that it is a downright cruelty to keep these officers there for longer tours of duty than the 2-year period that we have at present. For that reason I earnestly implore the Senate not to adopt this section; and I move to strike it from the amendment offered by the committee.

Mr. BINGHAM. Mr. President, there are a good many white people in the Philippines who live there right along without its doing them any harm. There has been established at Baguio, in the mountains north of Manila, a beautiful resort at an elevation of about 4,500 feet above the sea, where a climate prevails which requires open fires every night, in the heart of the Tropics. To that hill station, as it is called in India, officers can frequently repair—and there is abundant room there also for their families—in order to get a change of climate.

As far as the China station is concerned, it is well known that the climate of Peiping is a healthy climate. Peiping and Tientsin are where most of our officers are in China. Neither of those places is really tropical, and they are not detrimental to health.

I almost blush to see the Senator from Pennsylvania asking that the tour of duty in the paradise of the Pacific, Hawaii, be limited to two years, for fear lest officers lose their health if they stay longer than that period of time.

As far as Puerto Rico is concerned, that is also a healthy country, and individuals living there for years and years suffer no inconvenience at all in health.

It seems to me that the situation has been well taken care of by the provision that unless the health of such officers or the public interest requires it their tour of duty shall be not more than four years. I do not believe there is any cruelty in that. I believe we have provided that where it is necessary it may be done, and I trust that the motion of the Senator from Pennsylvania will not prevail.

Mr. REED. Mr. President, just one word.

The first captain I ever had in the Army was an officer who had been stationed in Puerto Rico. He was taken to Walter Reed Hospital not long ago, a complete nervous wreck, and the reason assigned was that he had been kept in Puerto Rico too long.

I know about Baguio. I have been in the Philippines; and it is very soft for the officers who are stationed at Fort McKinley who are able to go up there conveniently. But if you are stationed down in Mindanao, or at some distant post in the Philippines, you can not get anywhere near Baguio, nor can your family; and the benefits do not apply to everybody out there.

Down in Panama we who have been there know from our own observation how demoralizing it is to both officers and men, how soft they get, how thin their blood gets, how corrupting are the influences of the Panamanian towns of Panama and Colon. Four years is a long sentence, and we ought not to force it on our troops.

I grant what the Senator says about Hawaii. I should be perfectly willing to leave this provision in the bill if it applied only to Hawaii; but it is utterly unfair to the people who are serving our country bravely, for small pay, to keep them on long station in these foreign and tropical posts.

The PRESIDING OFFICER. The Chair will state to the Senator from Pennsylvania that a negative vote on section 12 would accomplish the result he seeks. The Chair will put the question on adopting section 12.

Mr. REED. Very good. Then if my position is sustained it will be by a vote of "no"?

The PRESIDING OFFICER. Yes.

Mr. REED. I shall vote "no."

The PRESIDING OFFICER. The question is on the adoption of section 12. [Putting the question.] The "ayes" seem to have it.

Mr. REED. I call for a division, Mr. President.

Mr. BINGHAM. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Ashurst	Copeland	Johnson	Reynolds
Austin	Costigan	Keyes	Robinson, Ark.
Bailey	Cutting	King	Robinson, Ind.
Bankhead	Dale	La Follette	Russell
Barbour	Davis	Lewis	Schuyler
Barkley	Dickinson	Logan	Sheppard
Bingham	Dill	McGill	Shipstead
Black	Fess	McKellar	Steiwer
Blaine	Frazier	McNary	Townsend
Bratton	George	Metcalf	Trammell
Brookhart	Goldsborough	Moses	Tydings
Bulkley	Gore	Neely	Vandenberg
Bulow	Grammer	Norbeck	Walsh, Mass.
Byrnes	Hale	Norris	Watson
Capper	Harrison	Nye	Wheeler
Clark	Hastings	Oddie	White
Connally	Hatfield	Pittman	
Coolidge	Hayden	Reed	

The PRESIDING OFFICER. Seventy Senators having answered to their names, there is a quorum present.

Mr. REED. Mr. President, if I may have the attention of the Senate, the question is on the retention of section 12 of the bill, which Senators will find at the top of 77. That section would require—

Mr. BINGHAM. Mr. President, a point of order. The Senator has spoken on this amendment once.

The PRESIDING OFFICER. The Senator from Pennsylvania can speak on the bill, having already spoken on the amendment.

Mr. REED. Very well, Mr. President; I move to strike out in lines 5, 6, and 7, the words "in the Philippines, on the Asiatic Station, or in China, Hawaii, Puerto Rico, or the Panama Canal Zone," and to insert in lieu thereof the word "Hawaii." I will speak on that amendment, but not for 15 minutes, because I think that would be too long to take the time of the Senate at this time in the evening.

The section would require officers and soldiers to remain on the tropical stations indicated for not less than four years. The present law requires that officers and soldiers shall be moved after two years' service on those stations. In other words, after a full report by the Surgeon General, Congress fixed two years as the maximum tour of duty in those posts.

Now the Economy Committee throw that policy to the winds and fix a minimum of a four years' tour of duty in the same tropical posts, and they have taken no evidence from the Surgeon General. There is a report by the Surgeon General on file which states that two years is the proper maximum. The Economy Committee do not consider that at all. The chairman of the Economy Committee admits that when they adopted the section they did so with the understanding that the conference committee should call in Army and Navy representatives to tell them the opinion of those departments. In other words, the Senate is expected to legislate on the recommendation of a committee which admits it has made no study whatsoever of the merits of the proposal.

Mr. President, I submit that it is not the proper way to legislate to abdicate our entire authority over the subject and transfer it to the committee on conference, which, among all its other pressing duties, will be required to call in experts to inquire whether we have done something that is sensible or unwise.

I called attention, before the quorum call was made, to a report of the Surgeon General made in 1916, in which he stated, in effect, that in practically every individual case there was a distinct deterioration of the nervous system observable after a two years' tour of duty in those places.

Hawaii is the only exception; that is quite healthful. But the other stations, which I am proposing to strike out, are uniformly unhealthful, and we have seen it demonstrated over and over again in our experience. Two years is all the time an officer or soldier should be required to stay in Panama, for example, or in the southern Philippines. The health conditions are bad; it means a cruel separation from one's family; schooling of children is impossible; the officer goes there and lives a hermit life, among alien peoples, and it is only a merciful thing to give him a respite from that duty after two years of it.

Mr. BINGHAM. Mr. President, I trust that the amendment offered by the Senator from Pennsylvania will not prevail. I shall not take the Senate's time again to explain what I said before, that lines 9 and 10 provide that if the health of the officer requires it, or if the public interest necessitates it, exceptions may be made. The only requirement is that the reason for the transfer under four years shall be stated in the order directing it.

Mr. BLAINE. Mr. President, just a word. I am not familiar with military service in any of the territory or Territories mentioned in this section except with respect to Panama. I had an opportunity to observe the camp of a detachment of our Army in Panama which had charge of certain properties, and I was convinced from the standpoint of a layman that two years' service under the tropical sun, with the environments surrounding those men and officers, was a maximum period for such service. It would seem to me that if we require a service of four years, the small saving we will accomplish in the matter of transportation will amount to practically nothing, and we will find ourselves building another Gorgas hospital in Panama to take care of those men, and possibly the immediate families of some of the men. I think the proposal is shortsighted policy from the standpoint of economy.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Pennsylvania [Mr. REED].

Mr. REED. I ask for a division.

On a division the amendment was agreed to.

The section as amended was agreed to.

Mr. BINGHAM. Mr. President, on page 72 there are two sections of a formal nature which will not require any discussion. I ask that they be read. I refer to section 9 (b) and 9 (c).

The PRESIDING OFFICER. The clerk will state the amendment.

The CHIEF CLERK. On page 72, beginning with line 14, the committee proposes to insert the following:

(b) All acts or parts of acts inconsistent or in conflict with the provisions of such sections, as amended, are hereby suspended during the period in which such sections, as amended, are in effect.

(c) No court of the United States shall have jurisdiction of any suit against the United States or (unless brought by the United States) against any officer, agency, or instrumentality of the United States arising out of the application, as provided in this section, of such sections 101, 102, 103, 104, 105, 106, 107, 108, 109, or 112, as amended, unless such suit involves the Constitution of the United States.

The sections were agreed to.

Mr. GEORGE. Mr. President, I desire to submit an amendment, which I think is in order.

Mr. BINGHAM. Mr. President, will not the Senator permit us to complete the Army amendments? The Senator from Pennsylvania was absent this afternoon when they were taken up. The first one comes on page 70, section 2, and I invite the attention of the Senator from California to it.

The PRESIDING OFFICER. The clerk will state the amendment.

The CHIEF CLERK. On page 70, line 4, the committee proposes to insert the following:

(2) Section 104 (b) and section 106 are amended by striking out "(except enlisted)"; section 104 (b) is amended by striking out "does not include the active or retired pay of the enlisted personnel of the Army, Navy, Marine Corps, or Coast Guard; and"; and section 105 (b) is amended by adding at the end thereof the following new paragraph:

"(8) The enlisted personnel of the Army, Navy, Marine Corps, and Coast Guard."

Mr. JOHNSON. Mr. President, while I am interested in the entire section, and hope subsequently to have some amendment made respecting it in its entirety, I am interested particularly in the retired enlisted men.

To my attention there has been brought by certain gentlemen in southern California the fact that the particular amount that is charged against them as retired enlisted men is unjust, discriminatory, and, in reality, a breach of faith on the part of the Government. When the representations thus were made to me, I wrote to the Chief of Staff of the Army stating that such representations had been made, that an amendment had been suggested to remedy what was thought to be the injustice, and asking his views upon that particular amendment. Because of his response, and my investigations, which seem to support the representations made, I propose the following amendment, on page 70, line 5, strike out the words "except enlisted," and in lieu thereof insert the words "except retired enlisted;" in line 6 strike out the words "active or," and in line 10 add the word "active" after the article "the" and before the word "enlisted."

Now that I may not unduly take the time of the Senate, permit me to read the letter that has come to me upon my request from the Chief of Staff:

Your letter dated January 10, 1933, with reference to the provision of the economy bill which seeks to include enlisted men, both retired and active, in the class to which the 10 per cent pay cut will be applied, was received by me late yesterday.

You state that an amendment is proposed that will exempt retired enlisted men—

And that is all that I am referring to in the present amendment—

from this cut the same as civil-service personnel are now exempted. You request my views respecting the above provision for use in connection with the proposed amendment.

At the outset I may say that I am strongly opposed to a cut in the pay of enlisted men, both retired and active. The reasons are based upon somewhat different considerations; but, as I view the matter, they are equally compelling.



As to retired enlisted men, the most important considerations may be listed as follows:

They are debarred from receiving any pension, compensation, or disability allowances, even though totally disabled from war service.

The retired civil-service personnel receive no cut; however, they are permitted to draw pension, compensation, and disability allowance, even though their military service was no longer than 90 days and their disabilities arose as much as 30 years after the war in which they served.

The pay of retired enlisted men has been earned. It has always been considered and is a part of their pay for services already rendered. To take from them a portion of this pay is a positive breach of faith.

I submit to the Senate that if the statement thus made by the Chief of Staff be correct, even the talismanic word "economy" is not sufficient justification.

Military personnel have received since 1908 an average increase of only about 11 per cent, while the increase of civilian employees has been much greater, in some instances well over 100 per cent.

It is just, proper, and equitable that retired civil-service personnel should be exempted from the pay cut, but this is equally true as to retired enlisted men. In the case of the former a direct contribution in cash was made by them to their retirement fund. In the case of the latter their retired pay was taken into consideration when fixing their active-duty pay, resulting in the lowest scale of pay in the Government service. In both cases, contributions to the respective retirement funds result, the only difference being that one is direct, the other is indirect.

As to active enlisted men, I view this proposed cut with the gravest concern.

This, however, is apart from the present amendment, but it will be subsequently presented unquestionably by the Senator from Pennsylvania [Mr. REED], and I am sympathetic with him.

The men to whom the cut will apply generally are men of long service, holding positions of responsibility that in civil life or in civil positions of the Government would command much higher pay than they receive. They are key men in our national defense. The effect upon the morale of these key men would be very detrimental to our national defense in these troublous times, when that morale should be kept at the highest possible point.

Accordingly I strongly recommend that section 4 (a) (2) be amended by striking out that portion which reads:

"Section 104 (b) and section 106 are amended by striking out '(except enlisted)'; section 104 (b) is amended by striking out 'does not include the active or retired pay of the enlisted personnel of the Army, Navy, Marine Corps, or Coast Guard; and'."

That is what I am endeavoring to do.

This, Mr. President, constitutes all the case I offer in behalf of the amendment presented. But that it may be presented in another form as well, I wish to ask as a part of my remarks that there may be printed a communication from Mr. J. H. Hoepfel, who has just been elected to Congress from the twelfth California district, which explains in detail as well and gives better than I could give here the reasons why this cut should not be made.

The PRESIDING OFFICER. Without objection, it is so ordered.

The letter is as follows:

HOUSE OF REPRESENTATIVES,  
Washington, D. C., February 6, 1933.

DEAR SIR: Attached hereto is an amendment which I respectfully request you present to the Senate in connection with the economy bill, H. R. 13520, now before your honorable body.

It is considered just and proper that retired civil-service personnel should be excepted from a pay cut; but is it not equally fair and just that retired enlisted men be also excepted from a pay cut?

Retired enlisted men, aged and enfeebled with physical disabilities incurred in action and other hazards of service, served long, hard years at as low as \$13 per month. This small pay was accepted and these men denied themselves the comforts of home and the opportunity to gain a competence in the assurance that they were building up for themselves an annuitable credit for their old age, in event they survived combat and the vicissitudes of 30 years of service.

With increasing infirmities (many are bedridden and several blind) they are prohibited by law from entering a soldiers' home, except the one here in Washington, and if they enter it they alone must pay for their maintenance.

Because of their advanced years they have more than the average medical bill in their efforts to find surcease from pain or affliction incurred in service.

Retired civil-service personnel who are exempted from a pay cut while in active employment and in retirement are permitted to draw pension, compensation, and emergency officers' retired pay or disability allowance, even though their military service was only 90 days and their disabilities arose years after the war.

Enlisted men in active service and on the retired list, even though they have service-connected disabilities, are debarred from either of these benefits; yet it is proposed to cut their pay and not reduce the pay of civil-service retired men who receive two pays.

In the interest of men who served 30 years in the military or naval service, I appeal to you to save them from a pay cut in their last days.

Thanking you for your consideration, I am,

Sincerely yours,

J. H. HOEPEL, *Congressman Elect.*

P. S.—Senator JOHNSON and others assure me they will support this amendment.

Mr. JOHNSON. Mr. President, I hope the amendment will be adopted.

Mr. BINGHAM. Mr. President—

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from Connecticut?

Mr. JOHNSON. Certainly.

Mr. BINGHAM. The opinion is expressed among some of our very able legislative counsel that the language of the Senator's amendment does not do what he wishes to do. May I suggest that we vote on the amendment striking out from this section everything connected with retired pay of the enlisted men and let the clerks fix up the actual wording of the amendment?

Mr. JOHNSON. That is my only purpose, and in any way it may be phrased I am perfectly willing to vote upon the subject matter.

Mr. REED. Mr. President, I am in full sympathy with everything said by the able Senator from California. I hope his amendment will be adopted. But more than that we should do. It seems to me the entire subsection from lines 4 to 11, both inclusive, page 70, should be stricken out.

When we come to consider the pay of a soldier we must remember always that he gets very small pay in money. If one of us were to enlist to-morrow, then for the first four years of our service as a private under the presently prevailing pay scale our pay would be \$21 per month in money, about 65 cents a day, whereas common labor, exposed to no military risk, is paid many times as much.

Mr. BINGHAM. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Pennsylvania yield to the Senator from Connecticut?

Mr. REED. Certainly.

Mr. BINGHAM. The Senator realizes that the economy act does not affect in the slightest degree the pay of the enlisted man during his first four years?

Mr. REED. Oh, quite so. I will show in a moment just how the enlisted man is affected. In addition to the 65 cents a day, or \$21 a month, that we pay this man, we give him his housing in a barracks, where privacy is the last thing one finds. We give him his uniform—clothing issued to him by the quartermaster. We provide for him his food. The scale on which he is fed can be pretty well guessed from the fact that in 1929, at the height of the boom, his ration allowance was 52 cents a day. All his food had to be provided for him within an allowance of 52 cents a day. That food allowance, or ration allowance, is a part of his compensation, and we have already cut that. We have already cut that for every enlisted man. The Senator from Connecticut says these economy provisions do not touch the private, but I want him to bear in mind that the private's ration allowance has been cut from 52 cents a day to 33 cents a day. So the private, receiving 65 cents a day in money and 52 cents a day in food, or \$1.17 altogether, has had his pay cut actually by 19 cents, or about 18 per cent.

I am sorry the Senator from Connecticut is not hearing what I am saying, because I am sure it would arouse his sympathy. If I may have the attention of the Senator from Connecticut—

Mr. BINGHAM. Mr. President, I listened to the Senator a little more than he thought I did. May I remind him that one reason why the allowance for food of the enlisted man has been cut is that to-day they no longer desire to eat as much beef and pork as they did. That amount has been cut and there have been added more vegetables, and one egg a day, which is more in accordance with the normal

healthy appetite of the citizen to-day. This, together with the lower cost of commodities, has resulted, as the Senator said, in a reduced cost of living for the private.

Mr. REED. The Senator has that right. We have cut our own pay 10 per cent because of the reduced cost of living. We have cut the enlisted man nearly 20 per cent for the same reason. The amendment recommended by the committee would cut the oldest and the best of our enlisted men still further. It would reach the master sergeants, the first sergeants, who, after all, are the backbone of any army, and the staff sergeants, and especially the ordinary sergeants of longest experience—those who have had over 16 years of service in the Army.

Furthermore, if any of them had one high rating and the pitiable little extra pay of \$5 a month that is given to a man for becoming an expert in gunnery, that would be taken from him, too. In our effort for economy we are going to take away that pitiful little prize won by superb skill in gunnery in the Artillery or in marksmanship in the Infantry, and we call that economy. We would take these men, whose pay in food we have already cut, and we would superimpose upon that a 10 per cent in the pitiful little money pay that they have by serving their country faithfully for 16 years.

I submit, Mr. President, that the suggestion is cruel, and I hope the lines will be stricken from the bill.

Mr. BINGHAM. Mr. President, we have taken from the pay of Government employees, under Title I of the economy act, during the past year about \$93,000,000. We left out any reduction in pay of enlisted men of the Army, Navy, Marine Corps, or Coast Guard. We felt, however, under the continued pressure for the necessity for economy in relieving the taxpayer, that there would be no real hardship to them any more than to any other Government employee in including them, at least those of them who get more than \$1,000 a year in cash, and giving them the same kind of a cut that is accorded the civilian employees.

The provision we are now discussing and which the Senator from Pennsylvania moves to strike out will save, it is estimated conservatively, a little over \$7,000,000—\$7,633,000 to be exact. I realize that that is not a very great saving, but it seems to me, in view of everything which went on in connection with this matter as well as others in connection with pay cuts, that it will not cause any serious hardship. Most enlisted men will not feel it at all. It is true that those who have been a long time in the Army and have given us the best years of their lives, the higher petty officers and noncommissioned officers, will get a cut in their pay, and so will those of that grade who have retired and who get more than \$1,000 a year in retired pay. It is very little that each one of them gives up. In the maximum it saves the taxpayer \$7,633,000.

Furthermore, in view of all the other Government employees who are giving up a portion of their pay, it seems to me only fair that they might be asked to do the same.

Mr. McKELLAR. Mr. President, there is no cut provided unless the soldier gets more than \$1,000 a year. In addition to his pay he gets, as we know, his rations, his clothing, and also his lodging, which makes his compensation considerably more than \$1,200 a year.

If we cut down the pay of civilian employees who are getting \$1,200 or more, surely the Army and naval employees who get \$1,200 or more ought to be treated in exactly the same way. That was the view of the committee; that is the fair view to take of it.

In addition to that, we all know that one can buy as much for \$900 this year as he could buy for \$1,000 last year. The proposal does not interfere with the contract of the soldier or the sailor or the marine. Of course, if we are going to be fair to all the employees—and that is what we ought to be; we ought to treat them all alike or just as nearly alike as we can—I see no reason on earth why this provision should not remain in the bill, and I hope very sincerely that it will remain in the bill.

Mr. ROBINSON of Indiana. Mr. President, I have no desire to prolong this discussion. I am rather under the impression that it is not necessary to do so because I have

so much confidence in the fairness and sense of justice of the Senate, but I do want to read to the Senate from a communication which I have on the subject which undertakes to give a few of the details. I understand the figures which I shall read come from the Veterans' Administration.

In the Regular Establishment most of those that would be affected would be men who have had long and honorable service and who are really the backbone of the Army, Navy, Marine Corps, and Coast Guard.

May I suggest that they are the backbone of any army? If we raise an army, Mr. President, and send it out into the field, we must have it bolstered up with old noncommissioned officers who have been faithful to their trust and to the duty imposed upon them throughout many years and have learned the game of war. They are the backbone of the Army. They are the enlisted men, the underpaid men, if men ever were underpaid. Therefore I am certain the Senate will not penalize these old, faithful, loyal noncommissioned officers in the various armed services of the country. Allow me to proceed further—

And who, in most cases, are married and have families to support.

Loyal citizens all, and married, with families, dependent on a grateful Government that will at least live up to its contract, expressed and implied, and see that they are retired and that they receive retirement pay.

Undoubtedly these proposed pay slashes would have a bad effect on the morale of the combined services. Of the retired enlisted men, all are retired for service, and very few of them are qualified to go into civil life.

Very few of them, we all know, are qualified to go into civil employment after having spent 30 years as enlisted men in the United States Army.

More especially at this time, when several million are unemployed. The physical condition of practically all retired service men is such as will not permit them to pursue a gainful occupation, and practically all have families to support.

Mr. President, I understand that in the Army there are on active duty 9,155 who would be affected; retired, 6,103; in the Navy, active duty, 19,019; retired, 3,089; Marine Corps, active duty, 932; retired, 388; reserves, 75; Coast Guard, active duty, 4,500; retired, 356.

Mr. President, I am in hearty sympathy with the amendment of the Senator from California, and I am in full accord with the stand he takes. As I said at the beginning, I rely on the sense of justice and of fair dealing of the United States Senate in this matter, and I trust the Government will keep faith with these enlisted men.

Mr. WALSH of Massachusetts. Mr. President, I should like to ask the Senator from Tennessee a question. I understand that last year under the economy bill we reduced the salaries of all civilian employees approximately 10 per cent, and we exempted from reduction all officers and enlisted men of the Army, Navy, Marine Corps, and Coast Guard. Is that correct?

Mr. McKELLAR. That is correct.

Mr. WALSH of Massachusetts. Now, it is proposed by the Economy Committee that the same principle of reduction shall be applied to all enlisted men and officers of the Army, Navy, Marine Corps, and Coast Guard whose salaries are in excess of a thousand dollars?

Mr. McKELLAR. That is right.

Mr. WALSH of Massachusetts. Mr. President, I should like to know on what principle we can face the army of civilian employees, our stenographers and clerks and secretaries, married men and single men, married women and single women, and say "You have got, in the interest of economy, to take a reduction of 10 per cent, but officers and enlisted men in the Army, Navy, and Marine Corps shall suffer no reduction?"

Mr. REED. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from Pennsylvania?

Mr. WALSH of Massachusetts. I yield.

Mr. REED. This has nothing whatever to do with officers; they have already had a 10 per cent cut.



Mr. McKELLAR. Officers got the cut last year but enlisted men did not.

Mr. WALSH of Massachusetts. Pardon me; the Senator misinformed me.

Mr. McKELLAR. I misunderstood the Senator; I am sorry.

Mr. WALSH of Massachusetts. So then this proposal before us applies only to enlisted men?

Mr. McKELLAR. To enlisted men getting over \$1,000.

Mr. WALSH of Massachusetts. And how many enlisted men are there getting over \$1,000?

Mr. BINGHAM. The total saving on the active list would be about \$5,500,000, and on the retired list about \$2,000,000.

Mr. WALSH of Massachusetts. The same principle applies. I should like to inquire what right have the enlisted men in the Army, the Navy, the Marine Corps, or the Coast Guard to be treated any differently than the men in our offices, the other employees of this Government, who receive over \$1,000?

Mr. JOHNSON. Mr. President, will the Senator yield?

Mr. WALSH of Massachusetts. I yield.

Mr. JOHNSON. Is there any cut made in all the personnel of the civil service?

Mr. WALSH of Massachusetts. Certainly; every employee in the civil service, as I understand, has had his or her salary reduced.

Mr. JOHNSON. Very well. Is there any difference in the salaries of civil-service employees and those who have served for a long period of time in the Army?

Mr. WALSH of Massachusetts. I do not consider there is.

Mr. JOHNSON. The Senator does not. Very well.

Mr. WALSH of Massachusetts. I think, when we come to consider all the provisions made by the Federal Government in the shape of living quarters, food, clothing, and salary, what the enlisted men receive compares very favorably with the pay which we are providing for our own clerks in the building across the way. Were we not informed last year of the exceedingly large number of civilian employees receiving less than \$1,000 per year?

Mr. ROBINSON of Indiana. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from Indiana?

Mr. WALSH of Massachusetts. I yield.

Mr. ROBINSON of Indiana. I should like to suggest to the Senator from Massachusetts that many of the enlisted men received only \$15 a month as their base pay while they were going along in the service and building up the American Army and training officers really as well as enlisted men. They are old "noncoms," noncommissioned officers.

Mr. WALSH of Massachusetts. And they are now receiving a thousand dollars, are they not?

Mr. ROBINSON of Indiana. The point is it takes them 30 years to get up to a position where they can retire and receive this retired pay, and unquestionably a part of the consideration for their enlisting and reenlisting time and again throughout the years and giving up all opportunities in civil life was the very fact that they relied on being retired ultimately on this basis of pay which now an attempt is being made to reduce to the extent of 10 per cent. The point I suggest to the Senator—not to take too much of his time—is that there is a contractual relationship existing between the Government and these very modestly paid enlisted men.

Mr. WALSH of Massachusetts. Mr. President, there are women and there are men whose backs are bent, whose muscles are stiff, and some of whom are emaciated because of long years of toil and work for the Federal Government, and we have not hesitated to reduce their salaries. Let us be on the level; let us be fair with all classes and all groups, and let this salary cut, which is a most unpleasant duty, apply to every man and woman who is receiving over a thousand dollars, wherever they work, whatever their occupation may be, whether it is in the Army, the Navy, or the Marine Corps, or whether it is in any civil position. I can not see the reason for any distinction, for any separation, for any special protection to this class. I do not think they

work any harder; I do not think they make any greater contribution to the public welfare than do the stenographers who are working 10 hours and sometimes 12 hours a day in our offices day after day and week after week.

Mr. GORE. Mr. President—

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from Oklahoma?

Mr. WALSH of Massachusetts. I yield.

Mr. GORE. The Senator from Massachusetts has painted a vivid and lurid picture of Federal employees in the civil service whose backs are bent, whose forms are emaciated notwithstanding their Federal salaries. I should like to put in the Record at this place that there are a great many taxpayers in the United States whose backs are bent, whose children are hungry, who are paying taxes to pay Federal salaries in excess of \$1,000 a year. Ten or twelve million American citizens are out of employment, unable to obtain work to feed themselves or their families.

Mr. WALSH of Massachusetts. May I say to the Senator that is the very reason why I have been asking that the principle of equality be observed in dealing with the reduction in the wages of Government employees?

Mr. GORE. I think the Senator is entirely right.

Mr. WALSH of Massachusetts. I am glad to learn the Senator agrees with me.

Mr. GORE. And unless there is something done to relieve the taxpayers, these salaries may be discontinued entirely.

Mr. WALSH of Massachusetts. Let me say one word in conclusion. I have stood for and supported a reasonably strong Army and Navy, but I do not propose to vote for, and will not allow, if I can prevent it, the favoritism that was manifested a year ago to go on any longer. If we are going to talk economy and practice economy, the Army, the Navy, the Marine Corps, and the Coast Guard have got to face present conditions, and they have got to accept the verdict of the American people who are demanding economy all along the line.

These reductions are not to our liking. No one desires to reduce salaries or wages. I am urging that this unpleasant task be done equitably if at all. If we are to continue reduction of wages that we commenced last year, then let us apply this particular principle of economy to all, both military and nonmilitary.

Mr. BYRNES. Mr. President, I will add only a few words to what has been said by the Senator from Massachusetts. Of course a very appealing argument can be made about the old noncoms and about the other enlisted men who have served for a number of years; but let us understand exactly what is to be the result of the adoption of this amendment. The Senator from Maine, with his knowledge of naval affairs, stated a few moments ago that after 16 years' service a man, although suffering no disability, can go into the reserve and be retired. If a young man enters the service at 18, 16 years later, or at the age of 34, he may be retired, and go out into the world and there earn a living. In every community we can find such men earning a living.

Mr. WALSH of Massachusetts. Mr. President, will the Senator yield for a moment?

Mr. BYRNES. I yield.

Mr. WALSH of Massachusetts. Within three days I drove in a taxicab to this building, and the man who drove the cab told me he was 33 years of age and was a retired enlisted man of the Army, drawing \$75 a month.

Mr. BYRNES. If he was drawing \$75 a month, not one dollar of his retired pay would be touched by this amendment, but if he draws over \$1,000 all we ask is that the same 10 per cent cut that applies to the woman with a family to support, who is working in a department, and is required by this bill to give up 10 per cent, shall be applied to the man driving a taxicab and earning a living, and drawing \$1,000 for no service rendered at all.

Mr. NORRIS. Mr. President—

Mr. BYRNES. I yield to the Senator.

Mr. NORRIS. For information I desire to ask the Senator whether the officials in the Army drawing high salaries—we have had illustrations of them here; the Senator from

Indiana [Mr. ROBINSON], I remember, gave us quite a list a few days ago—have had their pay reduced only 10 per cent.

Mr. BYRNES. Does the Senator mean those on the retired list or those on the active list?

Mr. NORRIS. I do not care which. It does not make any difference to me.

Mr. BYRNES. So far as those in the active service are concerned, according to their statement to this committee as to the operation of this bill, some of them assert that they have been cut as high as 28 and 30 per cent. As to the accuracy of the statement I am not prepared to say, because the cut applies not only to the 10 per cent but to allowances, and in that way they complain.

Mr. NORRIS. I should like to get, if I could, accurate information. I think there is much in the argument which the Senator is making and the argument which the Senator from Massachusetts [Mr. WALSH] made, but it does not appeal to me that a cut of the same percentage should be made on the fellow who is getting only \$1,500 a year as on the man who is getting \$20,000 a year.

Mr. BYRNES. I will say to the Senator that, of course, we revert to the argument which we had last year in the consideration of this bill. There are two interesting schools of thought on the subject. The thought underlying this bill and the thought that was beneath the bill last year was that by this action we would not disturb the relative situation of the employees in the Government service; that it did not seek to change the basic law as to the pay of any individual; that it simply applied a 10 per cent cut to every person employed in the service on the theory that the man who to-day receives \$90 a month can with that \$90 purchase more than he could have purchased with \$100 two years ago. The thought is that this 10 per cent cut applies only temporarily; that it does not seek to change the compensation that is to be paid to the employee; that at the end of this emergency he will revert to the compensation provided by the law, but that because of the change in conditions a 10 per cent cut would not be a hardship; that a man could buy just as much as he could with \$100 two years ago if this year he received \$90.

Mr. NORRIS. Mr. President, will the Senator yield further?

Mr. BYRNES. I yield.

Mr. NORRIS. It seems to me the mistake in the theory is that we do not take into consideration what a man has left after the cut is made. A 10 per cent cut to a man who is getting \$1,200 a year is an entirely different proposition from a 10 per cent cut to a man who is getting \$100,000 a year. The one does not feel it. It does not affect his living. If he did not know the cut was made, he probably never would find it out by his expenses or his living; but to the one who is getting a very small salary a very slight cut would mean the difference between making a living and going on charity.

Mr. BYRNES. Mr. President, of course if there is a graduated cut anywhere, it would affect the relative compensation of the various employees of the Government.

As to the \$100,000 mentioned by the Senator, under the bill adopted last year there was a limit of \$10,000 in the amount to be paid to any employee of the Government, as the Senator remembers; and the 10 per cent cut then applied to the \$10,000 no matter what position the official is now in, with the exception, I think, of the Director of Veterans' Affairs and the members of the Cabinet.

The 10 per cent cut here, though, does not apply to any man who receives retired pay of less than \$1,000. If he is not working for the Government, if he is rendering no service at this time, and he is drawing \$1,200, and by this cut his compensation as retired pay is reduced to \$1,080, I do not think it is such a hardship as would justify making an exception, particularly if we are to continue the cuts that are provided for the civilian employees.

Mr. ROBINSON of Indiana. Mr. President—

The PRESIDING OFFICER. Does the Senator from South Carolina yield to the Senator from Indiana?

Mr. BYRNES. I yield to the Senator from Indiana.

Mr. ROBINSON of Indiana. I agree with the Senator perfectly that there should be no slashing of the pay of a Government worker receiving \$1,000 a year, and I voted against it constantly and worked against any such policy. I think it is too small for the United States Government and means utterly nothing in connection with balancing the Budget, as everybody knows—a \$4,000,000,000 Budget. I shall continue to vote against slashing the pay of Government workers, but I submit to the Senator and to my esteemed friend from Massachusetts also that two wrongs do not make a right.

These enlisted men have entered into a contractual relation with the United States Government; and part of the consideration for their service was this retirement pay which was to come later, which they hoped to enjoy. Then, again, the Senator from Massachusetts [Mr. WALSH] suggested that he rode in a taxicab the other night with one of these old "noncoms," an enlisted man who was retired and was receiving \$75 a month. If he had followed that through, the chances are about a thousand to one that that old enlisted man has a large family, finds it impossible, after having given the best years of his life to the United States Government, to keep his family on the meager sum the Government has allowed him after all that service and finds it necessary to work at anything he can get to do to eke out an existence.

Furthermore, in addition to that, the service man, the enlisted man, is in the most hazardous line of work anyone knows. He enlists to become possible cannon fodder, and in the case of an emergency that is exactly what he is. He never knows how long he may go without facing war and an armed enemy. Therefore, he should be treated with special consideration and certainly should be given a living wage.

Personally, I think it is amazingly small to penalize a man of that kind.

Mr. BYRNES. Mr. President, I do not exactly understand the question that was propounded to me by the Senator from Indiana. [Laughter.]

Mr. ROBINSON of Indiana. I was under the impression that the Senator had yielded the floor. I am very sorry.

Mr. BYRNES. I yielded to the Senator from Indiana very readily; and I was only stating at the end of his statement that I did not know whether the Senator had propounded a question.

Mr. ROBINSON of Indiana. No; I wanted to make an observation while the Senator had the floor, and I understood he yielded the floor just now, and then if I had any time left I wanted to use that time.

The PRESIDING OFFICER. The Senator from Indiana has already spoken on the amendment. He can not speak a second time.

Mr. JOHNSON. Mr. President, I desire to perfect the amendment. I perfect the amendment by asking only that the words "active or," in line 6, page 70, be stricken out of the particular section.

And now, speaking on the bill for just one minute, I do not yield to the Senator from Massachusetts [Mr. WALSH] or the Senator from South Carolina [Mr. BYRNES] in feeling for the governmental employees of the United States in the matter of pay cuts. I voted against permitting any pay cut of any woman whose muscles were weakened or any man whose body was bent in the employment of the United States Government who receives a salary of \$1,500 or less. I would vote against it again. I do not believe in it, and I think that the Government of the United States does an evil thing when it cuts the pay of those who have little.

I am not standing here appealing for officers who receive a great salary from the Government or men of epaulets who have great sums of money coming to them from retirement pay or otherwise. I am speaking for the private enlisted man, who receives a sum that is disproportionate to the service that he has rendered to his Government. When these gentlemen speak to me about the harshness of making



somebody else in the Government service spend a part of his money while these men should not spend a part of theirs in paying a cut that the Economy League directs, I say to them, I would not cut any of them that receive \$1,500 or less.

I have stood upon this floor and said that thing before when the economy bill was before the Senate on a previous occasion. I say it now, and I say about the enlisted private in the United States Army who entered his service under the contract and the promise of his Government that he should have retired pay, that he ought not to be cut. I say in addition to you, sir, that there is a vast difference between him and the civil-service employee in the privileges that each class receives.

The one receives, as I read to you from the letter of the Chief of Staff, many, many things that the other, serving his country and wearing its uniform, can not have. To say that you will take 10 per cent of his \$1,200 salary, and give to him \$1,080 thereafter, and that you are doing a generous thing to him, I deny. It is not a generous thing. It is worse than wicked for a Government to promise that he shall have a certain sum if he enlists and wears a uniform, and then thereafter break that promise and take from him a pittance that may be necessary absolutely for the subsistence of himself and his family.

The PRESIDING OFFICER. The question is on the amendment, as modified, offered to the paragraph by the Senator from California [Mr. JOHNSON], which will be stated.

The CHIEF CLERK. On page 70, strike out lines 4, 5, 6, 7, 8, 9, and 10, and insert:

Section 104 (b) is amended by striking out "active or"; and section 105 (d) is amended by adding at the end thereof the following new paragraph:

"(8) The active enlisted personnel of the Army, Navy, Marine Corps, and Coast Guard."

Mr. BINGHAM. Mr. President, a parliamentary inquiry. What became of the substitute amendment offered by the Senator from Pennsylvania [Mr. REED]?

Mr. JOHNSON. I did not understand that he offered a substitute.

The PRESIDING OFFICER. The amendment has to be perfected first. The Senate will have to vote on this first. The question is on the amendment, as modified, offered by the Senator from California to the paragraph. [Putting the question.] By the sound the "noes" seem to have it.

Mr. JOHNSON. I call for a division.

Mr. ROBINSON of Arkansas. Let us have the yeas and nays, Mr. President.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on the amendment, as modified, offered by the Senator from California [Mr. JOHNSON] to the paragraph. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BRATTON (when his name was called). I have a pair with the Senator from Nebraska [Mr. HOWELL], who is necessarily absent, and therefore withhold my vote. If at liberty to vote, I should vote "nay."

Mr. ROBINSON of Arkansas (when his name was called). I have a pair with the senior Senator from Pennsylvania [Mr. REED], which I transfer to the junior Senator from Mississippi [Mr. STEPHENS], and vote "nay."

Mr. WHEELER (when his name was called). On this vote I have a general pair with the junior Senator from Idaho [Mr. THOMAS]. I transfer that pair to the junior Senator from West Virginia [Mr. NEELY] and vote "nay."

The roll call was concluded.

Mr. DAVIS (after having voted in the affirmative). I have a general pair with the junior Senator from Kentucky [Mr. LOGAN]. I transfer that pair to the junior Senator from California [Mr. SHORTRIDGE] and allow my vote to stand.

Mr. WATSON. I transfer my general pair with the senior Senator from South Carolina [Mr. SMITH] to the junior Senator from New Mexico [Mr. CUTTING] and vote "yea."

Mr. BINGHAM (after having voted in the negative). I have a pair with the junior Senator from Virginia [Mr. GLASS], but I am informed that that Senator would vote as I have voted, and therefore I am free to vote, and permit my vote to stand.

Mr. HATFIELD (after having voted in the affirmative). I have a general pair with the senior Senator from Oklahoma [Mr. THOMAS]. On account of that Senator being absent, I withdraw my vote.

Mr. FESS. I desire to announce the following general pairs:

The Senator from Wyoming [Mr. CAREY] with the Senator from Louisiana [Mr. LONG];

The Senator from Illinois [Mr. GLENN] with the Senator from Virginia [Mr. SWANSON];

The Senator from Missouri [Mr. PATTERSON] with the Senator from New York [Mr. WAGNER];

The Senator from New Jersey [Mr. KEAN] with the Senator from Arkansas [Mrs. CARAWAY];

The Senator from Connecticut [Mr. WALCOTT] with the Senator from Alabama [Mr. BLACK];

The Senator from Minnesota [Mr. SCHALL] with the Senator from Alabama [Mr. BANKHEAD];

The Senator from New Hampshire [Mr. MOSES] with the Senator from Louisiana [Mr. BROUSSARD]; and

The Senator from Idaho [Mr. BORAH] with the Senator from Tennessee [Mr. HULL].

Mr. METCALF (after having voted in the affirmative). Has the Senator from Maryland [Mr. TYDINGS] voted?

The PRESIDING OFFICER. That Senator has not voted. Mr. METCALF. Then I shall have to withdraw my vote, as I have a general pair with that Senator.

Mr. CAPPER. Mr. President, I have a pair with the senior Senator from Texas [Mr. SHEPPARD], but I learn that if he were present he would vote as I shall vote, and I therefore am at liberty to vote. I vote "nay."

Mr. BAILEY. I have a general pair with the junior Senator from Rhode Island [Mr. HEBERT]. I transfer that pair to the senior Senator from Florida [Mr. FLETCHER] and vote "nay."

Mr. BRATTON. I transfer my pair with the junior Senator from Nebraska [Mr. HOWELL] to the junior Senator from Massachusetts [Mr. COOLIDGE] and vote "nay."

Mr. WHEELER (after having voted in the negative). In view of the fact that the junior Senator from West Virginia [Mr. NEELY] has returned to the Senate, I transfer my pair to my colleague the senior Senator from Montana [Mr. WALSH] and allow my vote to stand.

Mr. TRAMMELL. On this question I have a special pair with the Senator from North Dakota [Mr. FRAZIER], which I transfer to the Senator from Texas [Mr. SHEPPARD] and vote "nay."

The result was announced—yeas 22, nays 31, as follows:

#### YEAS—22

Austin	Goldsborough	McNary	Townsend
Barbour	Grammer	Nye	Vandenberg
Brookhart	Hale	Oddie	Watson
Copeland	Hastings	Robinson, Ind.	White
Dale	Johnson	Schuyler	
Davis	Keyes	Steiner	

#### NAYS—31

Bailey	Capper	Harrison	Reynolds
Barkley	Clark	Hayden	Robinson, Ark.
Bingham	Connally	Kendrick	Russell
Blaine	Dickinson	King	Shipstead
Bratton	Dill	McGill	Trammell
Bulkeley	Fess	McKellar	Walsh, Mass.
Bulow	George	Neely	Wheeler
Byrnes	Gore	Pittman	

#### NOT VOTING—43

Ashurst	Fletcher	Logan	Smith
Bankhead	Frazier	Long	Smoot
Black	Glass	Metcalf	Stephens
Borah	Glenn	Moses	Swanson
Broussard	Hatfield	Norbeck	Thomas, Idaho
Caraway	Hebert	Norris	Thomas, Okla.
Carey	Howell	Patterson	Tydings
Coolidge	Hull	Reed	Wagner
Costigan	Kean	Schall	Walcott
Couzens	La Follette	Sheppard	Walsh, Mont.
Cutting	Lewis	Shortridge	

So Mr. JOHNSON's amendment to the paragraph was rejected.

The PRESIDING OFFICER. The question now is on the adoption of the paragraph.

Mr. JOHNSON. Mr. President, I merely want to call attention to the fact that the Senator from Pennsylvania had an amendment or a motion to offer.

Mr. BINGHAM. He wishes the motion not to prevail.

The PRESIDING OFFICER. The result accomplished by a motion to strike out can be reached by a negative vote.

Mr. BINGHAM. Those in sympathy with the Senator from Pennsylvania will vote in the negative.

The PRESIDING OFFICER. The question is on adopting the paragraph.

The paragraph was agreed to.

Mr. BINGHAM. Mr. President, I desire now to return to page 71, paragraph 7, lines 21 to 25, which were passed over at the request of the Senator from Colorado. I have been informed by him since that he has no objection. The provision would reduce the reduction for night work differential, which at the present time is one-half, and would make it one-third. This would increase the expense of the Government by \$300,000, but the committee believed it was fair to do that.

The PRESIDING OFFICER. The Chair calls the attention of the Senator from Connecticut to section 4, at the bottom of page 70, which was passed over.

Mr. BINGHAM. But we are now taking up page 71.

The PRESIDING OFFICER. The question is on the paragraph.

The paragraph was agreed to, as follows:

(7) Section 211 (a) (2) is amended to read as follows:

"(2) Wherever by or under authority of law compensation for night work (other than overtime) is at a higher rate than for day work, such differential shall be reduced by one-third."

Mr. BINGHAM. Mr. President, now all that remains of the committee amendments is the pay cut of 1½ per cent in its various ramifications and title 4, under section 20, the reorganization. The next thing which the committee would like to take up is the so-called Bratton amendment, which is to be offered as an economy section on all appropriation bills.

Mr. GEORGE. Mr. President, will not the Senator permit me to offer an amendment at this time which probably will not lead to much discussion, before we get into the controverted question to which he refers? I have sent an amendment to the desk, which is appropriate at this time.

The PRESIDING OFFICER. The clerk will report the amendment for the information of the Senate.

The CHIEF CLERK. On page 74, after line 14, the Senator from Georgia proposes to insert the following:

Section 212 (b) of the legislative appropriation act, fiscal year 1933, is amended to read as follows:

"(b) This section shall not apply to any person whose retired pay plus civilian pay amounts to less than \$3,000; *Provided*, That this section shall not apply to regular or emergency commissioned officers retired for disability incurred in service and directly connected and not by legal presumption with such service."

Mr. GEORGE. Mr. President, the only change in existing law that is suggested is in the latter part of the amendment read. Under the economy act of last year any holder of a civilian office, or holder of a position under the Government, appointive or elective, whose retired pay, if he was a commissioned officer enumerated in the pay adjustment act of 1922, and his salary amount to \$3,000 or more, had to elect which he would receive, that is, his salary or his retired pay, or he could not receive, if I may put it the other way, more than \$3,000.

We made one exception:

That this section shall not apply to regular or emergency commissioned officers retired for disability incurred in combat with an enemy of the United States.

The amendment which I offer proposes to change that definition, and for the reason which I will briefly state, so that it may read now, "retired for disability incurred in

service and directly connected and not by legal presumption with such service."

Mr. BINGHAM. Mr. President, I have no objection to that.

Mr. GEORGE. I do not think there could be any objection when the purpose of it is considered.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. BULKLEY. Mr. President, I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The clerk will state the amendment.

The CHIEF CLERK. The Senator from Ohio proposes, on page 71, after line 6, to insert the following:

(5) Section 105 is amended by adding at the end thereof the following new subsection:

"(f) When no additional expense is entailed annual leave of absence with pay not to exceed 24 days, not including Sundays and holidays, may be granted to officers or employees of the Government, otherwise entitled to less than 24 days annual leave of absence with pay, whose compensation has been reduced by this section."

Mr. BULKLEY. Mr. President, for the purpose of cutting pay the economy act of last year divided Government employees into two grades. One grade provided for by section 101 of that act suffered no decrease in rate of pay, but was compelled to accept one month's furlough of 24 working days without pay. Leave with pay for those employees was suspended by section 103 of the act. The other group of employees whose compensation was reduced by section 105 had a direct reduction of 8½ per cent in their pay, but no change in annual leave of absence. Leave of absence of all employees generally, however, had been reduced to 15 days by section 215 of the act. This results in an unfair discrimination, which I am assured by members of the Economy Committee was inadvertent.

The employees covered by section 101 have a reduction of 8½ per cent in their compensation, but have 24 days annual leave. Those covered by section 105 have the same 8½ per cent cut in their pay, but only 15 days annual leave. My amendment seeks to equalize this discrimination and to make it possible for the employees whose compensation is reduced under section 105 to receive 24 days leave with pay when that can be done without additional cost to the Government. The amendment has been submitted to members of the Economy Committee and to the Comptroller General. I do not think there is any controversy about it.

Mr. BINGHAM. Mr. President, the Senator is quite correct. The Economy Committee has considered it and has no objection to it.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. BRATTON. Mr. President, may I have the attention of the chairman of the economy committee? Two or three Senators now absent expressed a desire earlier in the evening to be present when the amendment which I offered, and which is lying on the table, is considered. I wonder if it would suit the Senator's convenience to let it go until tomorrow morning and let it be the pending amendment at that time?

Mr. BINGHAM. Mr. President, I have agreed with the leader on the other side of the aisle, who requested very earnestly that we continue until 10 o'clock to-night, and I should not like to break that agreement.

Mr. BRATTON. I told each Senator who spoke to me about the matter that I would not offer the amendment unless all other matters ahead of it were disposed of and it became necessary for me to offer it for that reason.

Mr. BINGHAM. So far as I know everything has been taken care of except Title IV, the question of reorganization, and the three sections which bear upon the pay cut, namely, the addition to the furlough, the addition to the direct pay cut, and the cut of pensions and compensation of veterans.



Mr. CONNALLY. Mr. President, I have an amendment which I have sent to the desk. I want to call that to the attention of the Senator from New Mexico. I can take that up at this time, if the Senator wishes.

Mr. BRATTON. Very well.

Mr. CONNALLY. I offer the amendment which I have sent to the desk.

The PRESIDING OFFICER. The clerk will report the amendment of the Senator from Texas.

The CHIEF CLERK. The Senator from Texas offers the following amendment: On page 71, line 25, insert:

Section 212 is amended by adding at the end of paragraph (a) the following:

"Provided, That no retired officer of the Army, Navy, Marine Corps, or Coast Guard, who in private life receives from any corporation, partnership, association, or individual an income, salary, compensation, or bonus for personal services at a rate of pay equal to or in excess of \$10,000 per annum, shall receive during the period of such employment any retired pay from the Government of the United States. Nor shall any officer on the active list receive any compensation from any corporation the majority of the stock of which is owned by the United States, or from any department of the United States Government or from the municipal government of the District of Columbia, any compensation in excess of the salary and allowances of such officer as an active officer of the respective services."

Mr. CONNALLY. Mr. President, in section 212 of the economy act of last year, which is not amended by this act, it is provided that a retired officer of the Army, Navy, Marine Corps, or Coast Guard who receives as much as \$3,000 in civil employment under the United States Government combined with his retirement pay shall not be entitled to retain both compensations, but may choose the one that is most remunerative.

The Senator from Georgia [Mr. GEORGE] offered an amendment a moment ago which amended subsection (b) of section 212, and my amendment ought to be carried in the bill at the same point as that of the Senator from Georgia.

But I desire to call the attention of the Senate to the injustice in restricting the retired officers who are in the Government employment to a maximum of \$3,000 a year and permitting retired officers who are out in private life, many of whom are earning very large and handsome salaries from corporations and other organizations, to receive retirement pay without any restriction.

A very glaring example of that is the case of General Harbord. General Harbord is chairman of the board of the Radio Corporation of America. I am simply using him as an illustration. I have no personal feelings against General Harbord whatever. General Harbord now draws retired pay from the Government of the United States in the sum of \$6,000 annually, and I am told that his salary as president of the Radio Corporation of America is a very large one indeed.

It seems to me that if the Congress is to make any distinction it ought to make a distinction in favor of those officers who still remain in the Government in some other capacity and give to the service of the Government the benefit of the training and education and experience which they obtained in the Army. But to permit retired pay under conditions that invite an officer to leave the service at the earliest possible moment and to reap large rewards for his services in private life certainly does not conduce to the best interests of the Government.

My amendment, of course, would only operate so long as those individuals draw that compensation. If their compensation in private life were discontinued, their retired pay would be revived. General Pershing, as a retired general of the Army draws retired pay of \$21,500 a year. Of course it was reduced temporarily by the economy bill. He will draw retired pay for life. Under ordinary circumstances as a major general he would receive only \$6,000 per annum retired pay, but because by special act of Congress he was made a full general for life because of his war services, he is drawing \$15,500 more than an ordinary major general of the Army, simply because he happened to have been the commander of the expeditionary forces.

Mr. BINGHAM. Mr. President, will the Senator yield?

Mr. CONNALLY. Certainly.

Mr. BINGHAM. The Senator does not desire to do General Pershing an injustice. He gets a 20 per cent cut under the bill.

Mr. CONNALLY. I thought so too, but the Comptroller General advises me that he gets 12 per cent reduction, although the bill as I read it would give him 20 per cent. That may be because of the allowances. The \$21,500 is not all salary. Under the act creating him a general the President had the right to give him such allowances as he might see fit, and it may be because of the operation of that fact that he does not get a 20 per cent cut. But that is just temporary. I have no animus against General Pershing. I am merely indicating him as an illustration of the injustice of some of the provisions in the existing law.

A little while ago the Senate adopted an amendment reducing the pay of enlisted retired men in the Army. But what justification can we offer for reducing the pay of the retired enlisted man by 10 per cent and in the same act permitting a general, such as General Harbord, to go out into private life and draw retired pay of \$6,000 a year and at the same time earn a munificent salary, as he is doing as president of the Radio Corporation of America?

General Pershing, General Harbord, and others who are enjoying these great emoluments, are now petitioning Congress to reduce the compensation and allowances of crippled and maimed soldiers of the World War. As members of a so-called Economy League they are urging upon the Congress economy, economy, to cut down the allowances of the enlisted men, maimed and wounded veterans of the World War; and yet with these generals drawing these enormous sums from the Treasury, the Senate and the Congress hesitate to put the axe where the axe ought to be applied.

Mr. HALE. Mr. President, will the Senator yield?

Mr. CONNALLY. In just a moment. I received the other day a letter from a disabled veteran who had been an enlisted man. He said he was disabled, out of employment, and wanted a job. He was getting \$18 per month in the form of a disability allowance or pension because of his physical disability. He is one of those whom General Pershing and General Harbord and others want the Government to cut off from the pension rolls without a cent. The plea of General Pershing and General Harbord to cut the veterans, while they draw large pensions themselves, does not appeal to me. I yield now to the Senator from Maine.

Mr. HALE. The Senator from Texas has asked what business we have to cut down the retired pay of enlisted men and then allow retired general officers to go out and get employment outside. I would call the Senator's attention to the fact that the officer's pay is cut down just as the enlisted man's pay is cut down. Also the enlisted man can go out and get any employment he may seek. We have nothing to do with it. It is none of our business. It is the same with the officer. He has a right to his retired pay and he has a right to go out and get any other job he may be able to get.

Mr. CONNALLY. To be sure; but the Government has a right, if it sees fit, to discontinue his retired pay.

Mr. HALE. But I can not see the difference in principle in the matter. It seems to me the principle is exactly the same with the officer as it is with the enlisted man. The question is whether we shall pay them their earned retired pay. Beyond that, they can do what they want. If the amendment goes through it will be a slap in the face of a very distinguished soldier. Everybody will know why the amendment goes through.

Mr. CONNALLY. It will cover anybody. General Harbord is not the only one. I referred to him simply as an example.

Mr. HALE. Yes, the Senator used General Harbord as an illustration.

Mr. CONNALLY. I did. I so stated. The Senator from Maine, if he were in the Chamber and heard me, could not have any doubt as to what I said. He is not the only officer who would be affected. There are hundreds of other Army officers throughout the country who are similarly situated. Admiral Cone of the Shipping Board draws retired



pay of \$6,000. The Senator from Maine has already voted for and approved a provision which says that Admiral Cone, because he happens to work for the Government, can not draw that retired pay. He has to give up his retired pay because his retired pay and his civilian pay as an officer of the Shipping Board amount to more than \$3,000. If that is fair and just, why is it not fair and just to say to the man who leaves the Government service and takes a large salary in private employment, that for the time being he ought to have his retired pay discontinued if with his civilian pay it exceeds \$10,000 a year? I should vote to cut it to \$3,000 per year instead of \$10,000, but I fear the Senate would not adopt the amendment with that figure. It ought to be \$3,000 in both cases.

Mr. HALE. The distinction is that the retired officer who works for the Shipping Board is getting another job with the Government, and that is a thing we can stop.

Mr. CONNALLY. I understand that; certainly.

Mr. HALE. But why we should stop outside jobs or why we should change the pay on account of officers getting outside work, I can not see.

Mr. CONNALLY. The Senator has a very clear manner of stating that which is the obvious. Of course, the officer is getting pay from the Government, and, as I pointed out a little while ago, that sort of policy encourages Army officers to leave the Government service and to go out into private employment. I think the man who stays with the Government is entitled to as much consideration as the man who goes out and auctions his service to private corporations and private interests throughout the country. Of course the Senator from Maine will not vote for this amendment. The Senator is chairman of the Naval Affairs Committee.

Mr. HALE. No, Mr. President; I am not chairman of the Naval Affairs Committee; I was chairman of that committee.

Mr. CONNALLY. I beg the Senator's pardon. The Senator was chairman of the Naval Affairs Committee, and it is well known how men who occupy positions as chairmen frequently acquire an exaggerated view as to the needs of such services. They lose the common touch; they can not see the poor ragged fellow back yonder at home who is paying taxes to support these retired officers in luxury, who leave the Government service just as soon as they can be retired and go on some private pay roll, getting large emoluments there. I submit, Mr. President, that this amendment ought to be adopted.

I leave the minimum at \$10,000 a year, not \$3,000, as is done in the case of Government employment. I would prefer \$3,000, but I fear the defeat of the amendment. If retired officers are now drawing over \$10,000 in private life as compensation for personal services, it does not affect their income from savings; but if for personal service they are drawing as much as \$10,000 in private life, then, in the period of this emergency, the Government ought to withdraw from them their retired pay and let them subsist on the \$10,000 which they are drawing in private life. Retired pay is a pension, and nothing but a pension. If these members of the Economy League are so anxious to reduce the pensions or compensation or disability allowances of crippled, or sick, or maimed and disabled veterans who were enlisted men, they ought not complain at a reduction of their own pensions.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. BARKLEY. I am in sympathy with the principle discussed by the Senator from Texas, but I am somewhat disturbed over this feature: Presumably and theoretically all these retired officers are drawing compensation which they have earned. It is not simply a gift, but it was the theory of Congress in awarding it that the character of their service and the length of their service entitled them to retired pay as a matter of right and not simply as a matter of courtesy or gift. Now, if that—

The PRESIDING OFFICER. The time of the Senator from Texas has expired.

Mr. BARKLEY. I will ask for recognition in my own right.

The PRESIDING OFFICER. The Senator from Kentucky is recognized.

Mr. BARKLEY. If that theory is correct, ought there to be any distinction made between a man who happens to retire and receive this reward as retirement compensation and who goes into private employment, and the man who, working for the Government while drawing retirement pay, is also drawing a salary for the work which he does? Is there any distinction, in other words, between a retired officer who goes into private enterprise and who receives whatever compensation he can obtain and the one who remains on the Government pay roll and at the same time is receiving retirement pay?

Mr. CONNALLY. Let me ask the Senator—

Mr. BARKLEY. I have asked the Senator a question.

Mr. CONNALLY. I beg the Senator's pardon.

Mr. BARKLEY. That is all right; the Senator may ask me one.

Mr. CONNALLY. If the Senator is correct in that, if he thinks they ought to be treated similarly, how does he justify his own vote for limiting the retired officer who works for the Government to \$3,000, and not limiting the man who works in private employment? If the retirement pay is a vested right which he has earned, how does the Senator justify his vote a few moments ago in cutting down the retired pay of enlisted men 10 per cent?

Mr. BARKLEY. If it is justified at all—and I rather take that slant of it—it is on the ground that a man ought not to be drawing from two sources in the Government beyond a certain amount of money. The fact that he retires entirely and separates himself from the Government and then goes out into private life and receives private compensation for whatever he does, if he earned his retirement pay in the beginning, makes, it seems to me, a distinction. I find it a little difficult to square that with the situation about which the Senator has been talking. I am really seeking information rather than seeking to give any, because I am trying to get the Senator's reaction.

Mr. CONNALLY. If an officer has earned any retirement pay, what difference does it make whether he works for the Government or for private parties; would he not be entitled to the full pay on either job?

Mr. BARKLEY. That is the question I asked the Senator.

Mr. CONNALLY. I can not see any difference.

Mr. BARKLEY. The Senator's answer then is yes?

Mr. CONNALLY. I can see no difference. That is why I am offering the amendment—to try to put those in private employment on an equality with those in Government employment.

Mr. BINGHAM. Mr. President, this amendment has not been considered by the committee; it is a little bit complicated; it does not seem to be in line with our policy, and I hope it will not be adopted.

Mr. CONNALLY. Mr. President, will the Senator yield for a question? I have not any time remaining.

The PRESIDING OFFICER. Does the Senator from Connecticut yield to the Senator from Texas?

Mr. BINGHAM. I yield.

Mr. CONNALLY. I want to indicate to the Senator that there is another feature in this amendment, which provides that no officer on the active list shall receive any compensation from any Government corporation or other Government agency in addition to his full active pay. My information is that some officers in the Army are drawing their full military pay and, because they happen to be connected with some Government corporation, are also getting a salary from such corporation. This amendment, if adopted, would prevent that.

Mr. BINGHAM. Mr. President, I wish the Senator had presented his amendment to the committee. It is a little late at night to analyze a new amendment, and I hope the amendment will not be adopted.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.



Mr. BRATTON. I ask that the amendment I offered and had printed be now laid before the Senate.

The PRESIDING OFFICER. The clerk will report the amendment of the Senator from New Mexico.

The CHIEF CLERK. On page 82, after line 21, it is proposed to insert a new section, as follows:

SEC. 20. The head of each executive department and independent establishment is authorized and directed to make such reductions in the expenditures from the appropriations made by the regular annual appropriations act for the several purposes of his department or establishment for the fiscal year ending June 30, 1934 (except, in the case of the Treasury Department, appropriations for acquisition of sites for and construction of public buildings and the appropriation for addition to the cumulative sinking fund pursuant to sec. 308 of the emergency relief and construction act of 1932), as will in the aggregate equal at least 5 per cent of the total amount so appropriated for his department or establishment for such year (excluding, in the case of the Treasury Department, the appropriations specified above). Such reductions shall be made in a manner calculated to bring about the greatest economy in expenditures consistent with the efficiency of the service.

Mr. BRATTON. Mr. President—

Mr. COSTIGAN. Mr. President, will the Senator yield?

Mr. BRATTON. I yield.

Mr. COSTIGAN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. COSTIGAN. Last Saturday a similar amendment was offered by the able Senator from New Mexico. Subsequently an amendment offered by me to that amendment was presented and adopted by a substantial vote. The original amendment of the Senator from New Mexico related merely to the bill under consideration. The amendment now tendered would extend the principle he sought to apply to all the departments and not merely to the two departments covered by the pending bill. My inquiry is as to the effect of this amendment, if adopted, upon the earlier amendment.

The PRESIDING OFFICER. The Chair does not recall definitely what was done with the amendment as amended. Let the Chair ask the Senator from New Mexico whether the amendment that he offered, and which was afterwards amended on motion of the Senator from Colorado, and adopted, has been reconsidered as yet?

Mr. BRATTON. A motion to reconsider was lodged and is pending. Disposition has not as yet been made of the motion to reconsider.

The PRESIDING OFFICER. Is the amendment the Senator is now offering a substitute for the original amendment?

Mr. BRATTON. No; it comes in a different place in the bill. It deals with the same subject matter, but is an independent proposal.

The PRESIDING OFFICER. It will have no effect whatever upon the amendment offered by the Senator from Colorado?

Mr. COSTIGAN. Is my 15 minutes' allotment of time passing?

Mr. BLAINE. Mr. President, I do not want to take the Senator's time, but if he will yield, and in my own time, if that be possible, let me say that, as I recall, late on Saturday afternoon the Senator from Connecticut [Mr. BINGHAM] withdrew his motion to reconsider the Bratton amendment that was adopted to the appropriation bill for the Post Office Department and the Treasury Department. Therefore the amendment stands without a motion to reconsider, and, as I understand the rule, two days have expired and the amendment has not been reconsidered.

Mr. BINGHAM. No; Mr. President, the Senator is mistaken. I asked unanimous consent to take up the matter, and that was denied by the Senator from Colorado [Mr. COSTIGAN], and there the matter rests.

Mr. BLAINE. I should like, in my own time, to refer to the RECORD of Saturday. I am quite sure that the Senator withdrew the motion.

Mr. BINGHAM. Oh, no, no, Mr. President! I will refer the Senator to the Senator from Colorado.

Mr. COSTIGAN. Mr. President, my recollection is in accordance with that of the Senator from Connecticut.

Mr. BLAINE. I notice this on page 3384. I may have reference to the wrong motion:

Mr. BINGHAM. I am perfectly willing to do that. I ask unanimous consent that the motion which has been pending may be withdrawn.

That is the motion to reconsider the vote by which the Bratton amendment was adopted.

The PRESIDING OFFICER. The Chair is unable to decide that question.

Mr. BRATTON. It is my memory that the Senator from Colorado objected to the unanimous-consent request of the Senator from Connecticut and that the motion was not withdrawn.

The PRESIDING OFFICER. In that case the motion to reconsider is still pending.

Br. BLAINE. Mr. President, a point of order.

Mr. BRATTON. Mr. President, is this being taken out of my time?

The PRESIDING OFFICER. It is not.

Mr. BLAINE. I said to the Senator that I am glad to have it taken out of my time.

The PRESIDING OFFICER. The Senator will state his point of order.

Mr. BLAINE. As I have pointed out, the Senator from Connecticut, after having discussed the motion to reconsider the vote by which the Bratton amendment was adopted, and after some suggestion was made by the Senator from Kentucky [Mr. BARKLEY], said:

I ask unanimous consent that the motion which has been pending may be withdrawn.

Mr. BINGHAM. That was the motion in regard to the pay cut, Mr. President; not the motion with regard to reconsideration at all.

Mr. BLAINE. I did not so understand it.

The PRESIDING OFFICER. That is the statement of the clerk at the desk, that it refers to the pay cut. Consequently, the motion entered for reconsideration is still alive. The Senator from New Mexico is recognized.

Mr. BRATTON. Mr. President, the subject matter involved in this amendment was discussed at length last week. Accordingly it will be unnecessary to discuss it in detail now.

The two amendments which were offered and considered and adopted together confine the 5 per cent reduction to the Treasury and Post Office Departments. This amendment extends that to the head of each department; it directs the head of each executive department and independent establishment to make such reductions in the expenditures from the appropriation made by the regular annual appropriation act for the several purposes of his department or establishment for the fiscal year ending June 30, 1934, as will in the aggregate equal at least 5 per cent of the total sum appropriated.

Mr. President, according to an estimate furnished me by the clerk of the Committee on Appropriations, this amendment will save the Government slightly more than \$140,000,000 during the next fiscal year. In my opinion, that sum is well worth challenging the attention of the Senate. We talk about economy. We exert ourselves to effect economy. We cut the appropriation bills and still they exceed by far what we should like the sum to be.

I have not the slightest doubt, Mr. President, that the head of an executive department, with his inside knowledge of the affairs of the department, with the assistance of his chiefs and his aides, can devise ways and means of economizing at least 5 per cent below the figures fixed in the appropriation act without sacrifice to his department.

The Senator from Colorado [Mr. COSTIGAN] offered an amendment to the amendment adopted last week, and I am informed that he will offer a similar proviso to this amendment. If adopted, it is my belief that it will not prevent the department from making the 5 per cent reduction. If the head of the department is compelled to go into personnel in order to do that, he must proceed by way of dismissals instead of additional furloughs or cuts in pay.

Perhaps that is the best way to do it. It may be that if the time has come when the Government must save in its salary rolls, it is advisable to make the saving by way of permanent dismissals rather than additional furloughs

or cuts in pay. It is believed by some eminent Members of this body that under this provision, without an amendment such as the Senator from Colorado doubtless will offer, the head of a department can not reduce the rates of pay to employees.

As I stated the other day, in response to a question directed to me by the Senator from Michigan, I am not so sure of that position. I am not so certain but that it can be said with reason and justification that a provision of the kind I now offer amends or modifies existing law with respect to wage scales so that the head of a department could scale down wages, because the amendment expressly provides, in the concluding sentence, that such reductions—

shall be made in a manner calculated to bring about the greatest economy in expenditures consistent with the efficiency of the service.

If the head of a department should determine that that could be done best by reducing the scale of wages, I am not so certain but that such interpretation could be sustained, because this being the later act, would perhaps modify earlier legislation; but the Senator from Colorado doubtless will offer his proviso eliminating that question. Mr. President, I think the time has come when we must economize more and still more. Now permit me to talk to the Senate briefly about the number of employees in Government service.

According to an article appearing in the Washington Evening News of January 21, at the end of December, 1932, we had 564,915 persons in Government service. We had that number of persons on the Government pay roll. It is far more than is actually needed. There can be substantial dismissals and still every department in the Government can function.

It has been my own belief, however, that during this critical period, during this crisis, it would be better for a Government employee or a given number of Government employees to have additional furloughs than to be dismissed permanently, because it would be infinitely better for an individual, particularly the head of a family, to have some income than to have none at all. But, Mr. President, I said before, and I repeat now, that in my opinion a wise and a humanitarian administration of this proposal can save the 5 per cent without affecting personnel. I repeat that belief with confidence and with assurance. The proposal involved contemplates a reduction of more than \$140,000,000 in the expenditures of next year. That is the simple but important issue confronting the Senate.

I am not going to take the time of the Senate to debate the matter at length. I am as anxious as is any other Member of the Senate to hasten this bill along. It is my belief that this is the most scientific way of effecting further economy. The overburdened taxpayers of this country have reached the breaking point; they demand with perfect justification a reduction in taxation, a reduction in expenditures, a reduction in expenses.

We have curtailed. The Budget sent us this year cut under the expenditures of last year. After that message reached the Congress, further cuts under that sum total have been effected. I have not the slightest doubt that the heads of the several departments can make still further economies of at least 5 per cent, totaling slightly more than \$140,000,000, without sacrifice to the efficiency of any branch of the service.

Mr. President, we talk about economy. There has been more preaching about economy during the last 12 months than perhaps any other subject, and yet we have not economized very much. We must do more of it. The country demands it. Congress must respond.

The legislatures of the several States are leading the way now. It behooves us to follow. If we are unable to lead in the process, let us follow the legislatures of the several States. They are leading the way. They are cutting 15 and 20 and 25 per cent. In this Chamber we have Members who hold their hands high in dread of the suggestion of a 5 per cent cut under the figures in the several bills.

Mr. President, let us try this; and if a department comes here in December and says that every effort has been made to reach the reduction and that it is utterly impossible to do so, and can convince Congress of that fact, we shall have an opportunity to correct through a deficiency appropriation whatever irreparable injury may have been done. But we are never going to economize so long as we shrink and flee from a proposal of 5 per cent—only 5 per cent—under the appropriations made in the several bills.

Mr. McKELLAR. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from New Mexico yield to the Senator from Tennessee?

Mr. BRATTON. Yes.

Mr. McKELLAR. I was out of the Chamber temporarily, and the Senator may have already referred to this matter; but the Senator will recall that in all the bills last year we had an interchangeable 10 per cent allowed to the department heads to move from one department or one section or one division to another. That will make it easier for the department to make the saving of the 5 per cent.

Mr. BRATTON. Yes; of course. The two provisions can operate together. The provision to which the Senator from Tennessee refers was incorporated in the economy bill of last year. It is still in force, and it will be in force during the next fiscal year, so that in making this 5 per cent cut the head of each department may employ the interchangeable provision contained in the economy act.

Mr. President, to my mind it is wholly untenable to say that with such leeway, and with the aid of the chiefs and the heads of the various services within a department, a saving of 5 per cent can not be made.

Let me make this suggestion, Mr. President: Whenever Congress undertakes to cut an appropriation, it must get its information from those who represent the spending department in question—that is, the executive department. We sit across the table from those who spend the money, and we ask them to tell us how to cut down the appropriations so that they will have less and less to spend. Of course, it will be recognized immediately that we do not get the wholehearted support that we will have if we place the mandate upon the head of the department, and require him to call in his aides and his chiefs, and say, "It is obligatory to reduce these expenditures 5 per cent. Let it be done in the best and most constructive way." That, Mr. President, is the manner through which we will economize with the least sacrifice to service.

Mr. WALSH of Massachusetts. Mr. President, will the Senator yield?

Mr. BRATTON. Yes; I yield.

Mr. WALSH of Massachusetts. The Senator has stated the amount of the saving that may be effected if his amendment is adopted.

Mr. BRATTON. Slightly more than \$140,000,000.

Mr. WALSH of Massachusetts. I understood that was the sum. May I inquire of the Senator whether any of this saving will come through reduction of wages?

Mr. BRATTON. If the amendment which the Senator from Colorado intends to offer is adopted, none of it will come from reduction of wages. Part of it may come from dismissals from service, but not from reductions.

Mr. WALSH of Massachusetts. It is possible for this sum of money to be saved to the Public Treasury without any reduction of wages?

Mr. BRATTON. I think so. I have not the slightest doubt about it.

Mr. WALSH of Massachusetts. I thought that during the colloquy between the Senator from Colorado and the Senator from New Mexico when he offered his amendment a few days ago the Senator from New Mexico stated that wages could not be reduced without a specific act of Congress. Am I correctly informed as to that colloquy?

Mr. BRATTON. I expressed that view, but I am not entirely certain about it. This is a later act, and it might be construed as a modification of earlier acts. I am not so sure about that.



Mr. WALSH of Massachusetts. The Senator from South Carolina has said repeatedly that it can not be done.

Mr. BRATTON. The Senator from South Carolina is of that opinion, and several other Senators whose opinion is entitled to great respect believe that.

Mr. WALSH of Massachusetts. I voted the other day for the Senator's amendment—

The PRESIDING OFFICER. The time of the Senator from New Mexico has expired.

Mr. BRATTON. I will take my time on the bill.

Mr. WALSH of Massachusetts. I voted the other day on the Senator's amendment with the expectation that the 5 per cent cut would involve consolidations of departments and reductions in the number of employees who are unnecessary, but I did not think it went so far as to reach reduction in wages.

Mr. BRATTON. Mr. President, I think it can be administered without reduction in wages.

Mr. ASHURST. Mr. President, may I ask the Senator from New Mexico a question?

Mr. BRATTON. I yield to the Senator.

Mr. ASHURST. The statement which the learned Senator from New Mexico has just made will undoubtedly determine how I shall vote upon this proposition. If the adoption of this amendment will reduce neither wages nor salaries I am going to vote for it. I want the Senator's opinion, because I have a high opinion of his judgment.

Mr. BRATTON. I do not think it will bring that about. I think it may result in some dismissals from the service.

Mr. BINGHAM. How can that be done without a reduction of 100 per cent in salary?

Mr. ASHURST. I am opposed to salary reduction. I think that is not the way out of the swamp and morass into which this country has drifted. I think reducing salaries is the worst thing we could do. I am not interested in the dismissal of supernumeraries, I am not at all interested in the dismissal of those persons whose services are not needed by the Government.

Mr. BRATTON. The Senator will please bear in mind that I am speaking under a limitation of time.

Mr. ASHURST. I beg the Senator's pardon.

Mr. BRATTON. Again let me refer to the number of persons in the Government service. Last year, after we had enacted the economy bill, the number of employees in the Government service was reduced by 7,353. That was the total reduction in the number of employees, but at the close of the year we still had 564,915 persons in Government service. That is an unbearable load during these times. If it is the plan to cut the number rather than to impose additional furloughs, then I think we must approach the problem from that angle.

Mr. President, I have consumed all the time I desire to take in presenting this amendment. I believe it is the best way in which to approach the subject of economy. It is a sad day if the heads of the departments can not save the people of this country the slight sum of 5 per cent in the bills carrying the enormous appropriations which we have passed from year to year. So I propose and submit to the Senate that the principle declared in the amendment we wrote in the bill the other day now be expanded and applied to the several departments alike, requiring the head of each of them to cut his expenditures at least 5 per cent under the total appropriation in the bill.

Perhaps this amendment should have been offered at the outset instead of the two which were proposed to the bill under consideration. The Senator from Nebraska made the suggestion that it should be done in this way. I readily accepted his suggestion. I think it is the constructive way to act, and I see no reason why the 5 per cent should be applied to the Treasury Department and to the Post Office Department without applying it to the other departments. This amendment would apply it to the others as well. It expands the principle and applies it to the several departments. It will save slightly more than \$140,000,000 during the next fiscal year.

Mr. COPELAND. Mr. President, I desire at this time to enter a motion that the vote by which the Connally amendment was agreed to be reconsidered.

The PRESIDING OFFICER. That motion will be entered.

Mr. COSTIGAN. Mr. President, there is at the desk an amendment to the amendment offered by the Senator from New Mexico. I ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. The Senator from Colorado proposes the following amendment to the amendment of the Senator from New Mexico, to add at the end thereof another sentence reading:

In making any reductions in expenditures provided for in this section no wage cuts, other reduced compensation, or furloughs shall be ordered.

The PRESIDING OFFICER. Does the Senator offer that now?

Mr. COSTIGAN. I offer it now.

The PRESIDING OFFICER. Then that is the pending amendment.

#### MERGER OF DISTRICT STREET-RAILWAY CORPORATIONS

Mr. VANDENBERG. Mr. President, I want to bring to the attention of the Senate from the Committee on Enrolled Bills a matter which should have immediate consideration in order to overtake an error that was made in the enrollment of the District street railway merger joint resolution.

At page 910 of the RECORD it will be found that the Senate voted to insert the words, "either directly or through subsidiaries," at line 6 on that page of the bill. When the joint resolution was enrolled, through some error which it is needless to attempt to locate, these words were inserted in line 7 instead of line 6. By the insertion in line 7 the meaning of the phrase is entirely changed. There is no controversy on the subject. I am authorized to say by the Senator from Vermont [Mr. AUSTIN], who, the Senate will remember, was interested upon one side, that he agrees that the correction should be made immediately, and the Senator from Wisconsin [Mr. BLAINE], who is interested upon the other side, will state for himself that the correction should be made immediately. Therefore, purely for the purpose of correcting the record and bringing it unquestionably in line with the action of Congress itself, I am reporting, from the Committee on Enrolled Bills, the joint resolution which I send to the desk, and I ask for its immediate consideration.

The PRESIDING OFFICER. The joint resolution will be read for the information of the Senate.

The joint resolution (S. J. Res. 248) to amend the joint resolution entitled "Joint resolution to authorize the merger of street-railway corporations operating in the District of Columbia, and for other purposes," approved January 14, 1933, was read the first time by its title, and the Chief Clerk proceeded to read it the second time at length.

Mr. ROBINSON of Arkansas. Mr. President, I suggest that the Secretary suspend the reading of the joint resolution. If the statement made by the Senator from Michigan is corroborated by those who are familiar with the subject, I think the correction should be made without delay.

Mr. BLAINE. Mr. President, the statement of the Senator from Michigan is absolutely correct, and in order to have in the RECORD information respecting the matter, I ask that there may be printed a letter from the Public Utilities Commission of the District of Columbia.

Mr. ROBINSON of Arkansas. Very well.

The PRESIDING OFFICER. Without objection, it is so ordered.

The letter referred to is as follows:

PUBLIC UTILITIES COMMISSION OF THE DISTRICT OF COLUMBIA,  
Washington, February 4, 1933.

Hon. ARTHUR CAPPER,  
Chairman Senate District Committee,  
United States Senate, Washington, D. C.

MY DEAR SENATOR CAPPER: Your attention is invited to the fact that lines 8 to 11 of section 2 of Public Resolution No. 47, Seventy-second Congress, entitled "Joint resolution to authorize the

merger of street-railway corporations operating in the District of Columbia, and for other purposes," as approved January 14, 1933, are not in accordance with the bill as passed by the Senate.

As approved by the President the lines read:

" \* \* \* operate directly transit properties within the District of Columbia and in adjacent States, including the power to acquire, own, and either directly or through subsidiaries operate the properties to be conveyed to the new company in accordance with this agreement \* \* \* "

Reference to page 910 of the CONGRESSIONAL RECORD of Thursday, December 22, 1932, will show that the lines were intended to read:

" \* \* \* operate directly transit properties within the District of Columbia and either directly or through subsidiaries in adjacent States, including the power to acquire, own, and operate the properties to be conveyed to the new company in accordance with this agreement \* \* \* "

The plain intent of the lines as they were intended to read and as they should have read is that the new company must operate all property, however acquired, directly if within the District of Columbia, but may operate either directly or through subsidiaries in adjacent States.

Apparently the only way in which correction can be made will be by a new act of Congress. The commission is, therefore, forwarding to you with this letter such a proposed act and recommends that it be passed.

In preparing this proposed measure it has been thought best and simplest to redraft the whole of section 2 of the above-mentioned measure.

The commission therefore requests that this proposed legislation be introduced and, if it meets with the approval of your committee, that it be enacted into law at the earliest possible date.

Very truly yours,

MASON M. PATRICK, *Chairman.*

Mr. BINGHAM. Mr. President, the Senator from Michigan asks that the unfinished business be temporarily laid aside, did he not?

The PRESIDING OFFICER. As this proceeding is by unanimous consent, it is not necessary to lay aside the unfinished business. Is there objection to the immediate consideration of the joint resolution?

There being no objection, the joint resolution was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Resolved, etc.,* That paragraph second of the preamble of the joint resolution entitled "Joint resolution to authorize the merger of street-railway corporations operating in the District of Columbia, and for other purposes," approved January 14, 1933, is hereby amended to read as follows:

"Second. The new company shall be incorporated under the provisions of Subchapter IV of Chapter XVIII of the Code of Law of the District of Columbia and pursuant to an act of Congress entitled 'An act to permit the merger of street-railway corporations operating in the District of Columbia, and for other purposes,' approved March 4, 1925, with power, subject to the approval of the Public Utilities Commission, to acquire, construct, own, and operate directly transit properties within the District of Columbia and, either directly or through subsidiaries in adjacent States, including the power to acquire, own, and operate the properties to be conveyed to the new company in accordance with this agreement, and to acquire and own the stock and/or bonds of said companies and of any other company or companies engaged in the transportation of passengers by street railway or bus in the District of Columbia and adjacent States with the power to mortgage its property, rights, and franchises, and to conduct such other activities as may be useful or necessary in connection with or incident to the foregoing purposes, including the power to buy, sell, hold, own, and convey real estate within and without the District of Columbia. Said new company, when incorporated, shall become and remain subject, in all respects, to regulation by the Public Utilities Commission of the District of Columbia or its successors to the extent of the jurisdiction now or hereafter vested in it or them by law over corporations engaged in the transportation of passengers by street railway or bus within the District of Columbia: *Provided*, That before they are recorded, the articles of incorporation and/or any amendments thereto shall be approved by the Public Utilities Commission."

Sec. 2. That Congress hereby expressly reserves the right to alter, amend, or repeal this resolution.

#### WHAT'S WRONG WITH CONGRESS?

Mr. CAPPER. Mr. President, in the New York Times of yesterday there appeared an able article by the senior Senator from Maryland [Mr. TYDINGS] on the subject "What's Wrong with Congress?" His remarks were so timely and so illuminating that I think they should have wider circulation, and I ask unanimous consent to have the article printed in the CONGRESSIONAL RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times, Sunday, February 5, 1933]

WHAT'S WRONG WITH CONGRESS?—A SENATOR STATES HIS VIEWS—TYDINGS, OF MARYLAND, PRESENTS SOME OF THE REASONS WHY THE LAW-MAKING MACHINERY FAILS TO FUNCTION EFFECTIVELY

By MILLARD E. TYDINGS

What's the matter with Congress? Why doesn't it function? These queries are the daily utterances of hundreds of thousands; they are found in thousands of letters now pouring into Washington. And candor compels the admission that the expressed impatience and displeasure on the part of the people with the Congress are not infrequently justified.

It is not my purpose to parry the disgust of the man in the street with these delays, but rather to set down here some of the causes for the inability of the National Government to function and, so, to let the facts speak for themselves.

#### THE PRINCIPAL OBSTACLES

To summarize, these are the chief impediments to reasonable legislative alacrity:

1. The large number of problems demanding solution and treatment.
2. The clash of sectional interests due to the physical vastness of the country, to its diverse conditions and backgrounds, and to its heterogeneous peoples.
3. Lack of authoritative leadership in the White House.
4. The necessity for a knowledge of the international as well as the national point of view on many conditions and propositions.
5. Lobbies.
6. Selfishness on the part of group interests.
7. The system—that is, the rules of the Senate, the size of the House of Representatives (435 Members), the technic of getting reelected, and so on.

Taking up these impediments in order, one finds that this 80-day session of Congress is faced by more diverse and ramified problems than, I dare say, have ever confronted any other. There are at least 20 major matters crying for attention; there are hundreds of minor ones which, to those most concerned about them, seem of equal importance.

#### GREAT QUESTIONS TO BE FACED

There are the questions of war debts; of world-wide tariff barriers with the consequent loss of world trade and its problems of surpluses of both farm and factory; of disarmament; of depreciated currencies of silver-standard countries and the appreciated currency of the United States; of unemployment; of deficits and unbalanced budgets of the national debt, now again over \$20,000,000,000; of agricultural surpluses carried over to 1933, among them cotton, which now amounts to one year's world supply; of railroads, banking reform and relief; of bankruptcy reform, the eighteenth amendment, beer, taxes, the breakdown of State and municipal governments in cases; of private debts, the World Court, public works, veterans, imminent change of administrations, and rehabilitation of confidence.

Any one of those questions could well consume a solid week of debate in order that all points of view might be considered and sound legislation adopted; and all the while, with trade stagnated and economic chaos in the offing, the need is for the right solution of all problems quickly. But men, sections, and interests differ sharply and heatedly about the right solution. Hence the debate on a single problem goes on and on; tempers break, nerves crack, and the man in the street asks: "What's the matter with Congress?"

#### THE WORLD'S "FOUR HORSEMEN"

Moreover, many of these problems are not within the scope of congressional authority. They will not respond to congressional treatment. The four horsemen of world depression—tariffs, depreciated currencies, debts, and disarmament—can not be roped and broken in the senatorial arena. They ride unchecked in the international pasture. They must be handled through the medium of either diplomacy or a world conference, for no nation can solve them alone; and, until they are dealt with, any recovery can be but a partial recovery. Again, in instances, several of these matters must be considered in concert.

Yet Members of Congress, and understandably so, do not hesitate to speak about them on the floor, even though no question touching them is pending in either branch of the National Legislature. This takes time and in turn, on occasion, draws into the discussion others who had resolved to wait until such matters were more pertinent before entering the controversy. Thus, time passes under the bridge of international despair.

Related to the foregoing is the clash of sectional interest. The Representative from the cotton States wants the cotton surplus considered first; the urban Senator speaks about the need for unemployment legislation; the industrial States' spokesman arises and gravely asserts that a new tariff is needed on such and such an item. In the meantime, prohibition, beer, taxes, and the like are not overlooked; they are debated pro and con when no bill is pending which even remotely touches any of them. Days pass rapidly by and time has not been employed in discussing an actual bill seeking to remedy a definite situation.

Perhaps, if the lame-duck amendment had been adopted two years earlier, there would be now the direction of Congress which is so apparently lacking. With a President in the White House who has been overwhelmingly defeated, and with a President elect overwhelmingly chosen, who is not yet in office, there is no sound,



directing authority at the helm. The crew is all captains; the captains may direct the crew, but the crew knows that neither has too much right nor too much authority. And time flits by while the ship of state lolls in the doldrums.

#### COMPLEXITIES OF OUR PROBLEMS

To pass upon the larger questions now, more than ever, requires some substantial measure of familiarity with the problems and conditions of other countries as well as with one's own. To consider currency legislation requires a knowledge of India's gold-standard venture, the debasing of silver in Belgium, Great Britain, and France, and how this has affected not only our own currency and trade but those of China, Mexico, and South America. So it is with other questions. Research into such matters, not normally important enough to require much consideration, now must be made, for without such examination the solution will be of no avail. This condition frequently delays the projection of many solutions and, when they are projected, prevents their speedy consideration and adoption.

Lobbies contribute no little part to the legislative jam. These, through pressure, cause comparatively unimportant matters to supplant pressing ones. Let there be a project to reduce this or that appropriation, or to tax this or that person or commodity, or to establish this or that policy, and at once the lobby goes into action. First, it insists on long and tedious hearings, which are, quite often, but a parade of obvious facts surrounded by a labyrinth of rhetoric. Then interviews with each Member of Congress are sought, followed by a deluge of inspired telegrams and letters from persons who, too frequently, have no knowledge at all about the pending legislation.

#### BURDEN OF OUTSIDE DUTIES

These communications take time to read, analyze, and digest as well as to answer. This keeps Members busy in their offices when they should be on the floor of Congress. Hence many quorum calls are necessary to rally enough Members to legislate and, when the legislation is about to be voted on, a delayed Member further postpones its consideration by asking questions which, during his absence, have been abundantly discussed. Lobbies frequently glorify an issue out of all proportion, and Congress debates and considers it at great length because the lobby has planted the germ in the people's minds and they write their Congressmen demanding its immediate consideration.

Group interests and, on occasion, purely selfish interests often become so engrossed in their own problems that they lose all sense of perspective and proportion—and this when the plight of that group is no worse, and in cases better, than that of the remainder of the people. I recall one Senator who made an hour's speech every day during the whole session about the agricultural situation in his State. When he arose other Senators, familiar with these tactics, left the Senate and went back to their offices to work. A group seeking some particular piece of legislation fights only for it and will demand, if possible, that all other matters, regardless of their importance, be laid aside until it is disposed of.

#### THE INTOLERANT GROUPS

Then, too, racial and religious groups lose all sight of the essential tolerance necessary in legislation in such a country as the United States. In such matters it takes days of strenuous effort to avert such silly and prejudiced attempts as the Force act of the last century from being enacted into law.

The veterans, the farmers, the industrialists, the bankers, etc., often seem oblivious of the national welfare in their zeal for their own concerns. The unemployed may starve, war may hover on the horizon, surpluses may stagnate, but the groups demand that their matter be attended to, pronto. The man who writes one day demanding a reduction in national expenditures wires the next asking that there be no reduction in his subsidy or compensation. These contrary demands tend to keep the national legislature in a turmoil.

The Member of Congress must be callous to these undisguised exhibitions of selfishness. It seems that few—oh, so very few—ever come forward with a proposition of unselfishness.

And selfishness is not the least element in keeping the United States in the throes of unrest while needed legislation is pulled and hauled by the interested parties. A banker writes demanding that we reduce the outlay for veterans. I answer that there is room for proper retrenchment in veterans' expenditures, that it will have my support; I point out, as well, that the interest charge on our national debt, a part of which is soon to mature, is \$750,000,000 annually and won't he be glad to surrender his 4½ per cent Liberties for securities (the best in the whole world) bearing 2 or 2½ per cent, so that we can reduce the necessary taxation to care for interest also. This was done in a patriotic campaign in Great Britain.

He replies that that will not be practical, because . . . But the banker's refusal to be unselfish makes the Congressman less sympathetic to other needed reductions in other expenditures. Hence, no retrenchment at all occurs, for each group is organized to protect what it already has or enjoys. In the end the banker's refusal to be unselfish is the real explanation of his high income-tax brackets. The poorer man, who likewise refuses, forces the imposition of tobacco and other commodity taxes upon all other citizens.

#### SENATE RULES OBSOLETE

Finally, the Senate rules permitting unlimited debate are, to my view, archaic and anachronistic. I see no reason why the rules of any business discussion should not apply to the Nation's business. Debate, except on certain special days, should be confined to the

pending matter, and not, as now, open to every subject from the spread of hog cholera in Kansas to slavery in Abyssinia. A majority of the Senate should be able to bring any proposition to vote at any time, at least in periods of national emergency.

The 435 memberships of the House of Representatives are too many, in my opinion, and a total of 300 Members would make that body more useful. Its present size compels its managing force, the Rules Committee, to make drastic limitations on the right of debate and amendment. An amendment to the country's Constitution has been passed with only an hour's debate (for the entire 435 Members to share) and with no right of amendment at all.

#### OFFICE BOY OR LEGISLATOR?

The Member of Congress is too frequently forced to decide whether he is going to be a glorified office boy, attending with great punctiliousness to his mail, calling on departments for little favors for his constituents, and the like, or whether he is going to be a legislator. He can not be both. If he selects the former course, he must make sacrifices in time and capacity of the latter, and vice versa. Too often the man who devotes himself and his time to the problems of government finds he has been defeated for reelection, while he who cares for each separate request for his attention and energies, to the exclusion of the demands of his real job, is elected.

Therefore the lack of a truer test of a legislator's fitness than that which is, alas, all too often now employed by the man with the ballot is another reason why Congress does not function. In justice, much of the failure of Congress is due, in the final analysis, to the man who elects it. He demands in one way or another the very things which in the end impel him to berate his Government. For the voter demands of this congressional representative a higher standard of service in a smaller capacity than is demanded of him in the larger and more important field of legislation.

After all, legislation is the reason for the existence of Congress, but sometimes the Congressman wonders if it really is. The pique of a constituent desiring to see his Representative when told the Congressman is "on the floor" or "in committee" is such that he marks his Representative, there and then, for defeat at the next election.

While the Senate, the House, and the committees try to formulate legislation which, on occasion, touches the pocketbook or the welfare of every person in the land, the Congressman is asked to sit in his office listening to a constituent who wants him to go at once to such and such a department and ask personally Mr. So-and-So why it is that the constituent's son did not get a raise in pay last June. And if he goes he will not be on hand to vote in the committee or upon the floor; and if he does not go he may not be on hand to vote at all after the next election.

Expedition in legislative matters would be greatly assisted if it were impossible to call Members of Congress from the floor during sessions. I know certain Members who, in answer to requests for interviews during the session, spend over half the time in their offices and in the reception room talking with constituents while within the Chamber no less a proposition than a billion-dollar tax bill is being debated, amended, and adopted.

#### HANDICAPPING THE CONGRESSMAN

Obviously, no superman can follow the course of a bill, the contents of which are being changed hourly, and spend over half his time outside the Chamber. The regret is that generally these much-sought-after interviews are matters which could have been handled to the complete satisfaction of the constituent if his request were contained in a short letter.

Quite frequently, when the congressional Representative says he must remain upon the floor, the disappointed constituent berates him with having a "swelled head" or of getting "high-hat" since election.

A colleague of mine, a recently elected Democrat, has shown me a copy of a letter which he has just written to a political friend in his own State. It portrays vividly what I have just related as regards those seeking, for the most part, patronage interviews. I quote from it:

"When your letter came I was ill, having been very badly broken down by the overwhelming demands upon me for the last several months. I have tried to be democratic and have made myself available at all hours to all who desire to see me. I have given a great deal of personal attention to my correspondence, and my breakdown occurred upon a final effort to keep up, by way of staying here in my office until midnight dictating letters.

"I am glad to say that I am recovering, but I entertain no great hopes of being able to get through with this situation. It is indescribable. I am not permitted to write letters by reason of visitors; I am not permitted to go to sleep until after midnight by reason of visitors and long-distance calls; I am not permitted to sit in my seat in the Senate and hear discussions by reason of cards coming in from the lobby, not from Wall Street but from friends; I am not permitted to read the daily papers, and for the first time in many years I have not read for 10 days.

"If I thought it was all behind me I would be more hopeful, but I realize that this is just the beginning. I had at one time hoped to do some good work this year on the floor of the Senate and in the committee, but certainly, if I am to do so, I shall have to close my doors to visitors and abandon my democratic attitude with respect to callers.

"I left last night some 10 people in my office wholly because I was worn out and felt utterly unequal to seeing another human being. This is the first time I have tried to shield myself."

This extract indicates strongly that without being a "high-hat" or a sluggish a Member of Congress may be unable to see all those constituents who want interviews with him if he is to accomplish any of the duties obligatory under his oath.

These, briefly, are a few reasons why "Congress fiddles," and I feel sure, while Congress itself is in no small part to blame, that the judicial reader must concede that quite often the critic does not enter the controversy with too clean hands.

#### RECESS

Mr. BINGHAM. Mr. President, I move that the Senate take a recess until to-morrow at 12 o'clock.

The motion was agreed to; and the Senate (at 9 o'clock and 52 minutes p. m.), under the order previously entered, took a recess until to-morrow, Tuesday, February 7, 1933, at 12 o'clock meridian.

## HOUSE OF REPRESENTATIVES

MONDAY, FEBRUARY 6, 1933

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Almighty God, whose glory flames from sun to star, yet to each loving heart how near Thou art, to-day sustain us by Thy holy presence, for we are walking the way checkered with light and shadow, with joy and tears. Do Thou soften sorrow, invest painful memories with grace, and make fruitful in peace the ashes of affliction. One has left the heart of our Nation. The fetters of sense were stricken from his soul, and he left in the glory and promise of eternal morning. We thank Thee, our heavenly Father, that when we sound the depths of experience that earth is not the boundary line of our vision. We praise Thee for Him, who is the Rock of our faith. Upon His emptied and angel-filled tomb the glow of the eternities will never fade away. Let us exult in Him of whom are all things, by whom are all things, and to whom are all things. To Him be glory forever. Amen.

By unanimous consent, the reading of the Journal of Saturday was postponed until Tuesday, February 7, 1933.

#### MEMORIAL SERVICES FOR CALVIN COOLIDGE

The program of arrangements by the joint committee of the House and the Senate follows:

##### ORDER OF PROCEEDINGS

##### OPENING

The House of Representatives will convene at 12 o'clock m. and will be called to order by the Speaker, the Hon. JOHN N. GARNER. Prayer by the Chaplain of the House, Rev. James Shera Montgomery, D. D.

Arrival of the Senate, preceded by the Vice President of the United States, the Hon. CHARLES CURTIS, and its Secretary, Sergeant at Arms, and Chaplain.

The Speaker of the House of Representatives will relinquish the gavel to the Vice President, who will assume the Speaker's chair as the presiding officer of the joint session of the two Houses of Congress.

The Speaker of the House will occupy a seat at the left of the Vice President.

##### ARRIVAL OF GUESTS

The following officials and invited guests of honor will be announced by the Doorkeeper and escorted to the seats assigned to them, in the following order:

The Chief Justice and Associate Justices of the Supreme Court of the United States.

The ambassadors, ministers, and chargés d'affaires of foreign governments.

The General of the Armies; the Chief of Staff of the Army; the Chief of Naval Operations of the Navy; the Major General Commandant of the Marine Corps; and the Commandant of the Coast Guard.

The Commissioners of the District of Columbia.

The chief justice of the Supreme Judicial Court of Massachusetts, escorted by the joint committee on arrangements of the Senate and House of Representatives.

The President of the United States and the members of his Cabinet.

##### JOINT MEETING

O Love That Will Not Let Me Go (Albert L. Peace) will be rendered by the Interstate Male Chorus, Commissioner Clyde B. Atchison conducting.

Invocation by the Chaplain of the Senate, Rev. Z. Barney T. Phillips, D. D.

The Presiding Officer will present the Hon. Arthur Prentice Rugg, chief justice of the Supreme Judicial Court of Massachusetts, who will deliver the memorial address.

Crossing the Bar (William L. Thickett) will be rendered by the Interstate Male Chorus.

Benediction by the Chaplain of the House of Representatives, Rev. James Shera Montgomery, D. D.

The Presiding Officer will then declare the joint session of the two Houses of Congress dissolved.

#### RETIREMENT

The Doorkeeper will escort the invited guests from the Hall of the House in the following order:

The President of the United States and the members of his Cabinet.

The Chief Justice and Associate Justices of the Supreme Court of the United States.

The ambassadors, ministers, and chargés d'affaires of foreign governments.

The General of the Armies; the Chief of Staff of the Army; the Chief of Naval Operations of the Navy; the Major General Commandant of the Marine Corps; and the Commandant of the Coast Guard.

The Commissioners of the District of Columbia.

The joint committee on arrangements will escort the orator of the day from the Hall of the House.

Upon retirement of the invited guests, the Senate will return to its Chamber.

The House of Representatives will resume its regular session.

#### THE JOINT COMMITTEE ON ARRANGEMENTS

For the Senate: DAVID I. WALSH, of Massachusetts; JAMES E. WATSON, of Indiana; JOSEPH T. ROBINSON, of Arkansas; REED SMOOT, of Utah; and GEORGE H. MOSES, of New Hampshire.

For the House: CLIFTON A. WOODRUM, of Virginia; WILLIAM J. GRANFIELD, of Massachusetts; WILLIAM N. ROGERS, of New Hampshire; WILLIAM B. ESCLICK, of Tennessee; CARL E. MAPES, of Michigan; CARROLL L. BEEDY, of Maine; and ALBERT E. CARTER, of California.

The Doorkeeper, Mr. Joseph J. Sinnott, announced the Vice President and the Senate of the United States.

The Vice President took the chair at the right of the Speaker, and the Members of the Senate took the seats reserved for them.

The Speaker relinquished the gavel to the Vice President, who, as the Presiding Officer of the joint session of the two Houses, called the session to order.

The Doorkeeper announced the following guests, who were escorted to the seats assigned to them:

The Chief Justice and the Associate Justices of the Supreme Court of the United States.

The ambassadors and ministers and chargés d'affaires of foreign governments.

The Chief of Staff of the Army, the Chief of Naval Operations of the Navy, the Major General Commandant of the Marine Corps, and the Commandant of the Coast Guard.

The Commissioners of the District of Columbia.

The chief justice of the Supreme Judicial Court of Massachusetts, escorted by the Joint Committee on Arrangements of the Senate and House of Representatives.

The President of the United States and the members of his Cabinet.

The Interstate Male Chorus sang, O Love That Will Not Let Me Go.

The VICE PRESIDENT. The two Houses of Congress, with their invited guests, have assembled to pay tribute to the memory of a great man, a popular President, a man who was loved and mourned by all the people of our Nation, Calvin Coolidge.

The Rev. Z. Barney T. Phillips, D. D., Chaplain of the Senate, offered the following

#### PRAYER

O God, who art the light of every heart that sees Thee, the life of every soul that loves Thee, the strength of every mind that seeks Thee, keep us ever steadfast in Thy holy love, that we may face with utter confidence the mysteries alike of life and death, daring to live as worthy sons of God. Sanctify to us the meaning of this hour in which the guardians of our Nation's destiny, though pressed by thronging duties, have foregathered here with honored friends from the great family of nations to pay united tribute to the memory of him who as private citizen, trusted servant of his Commonwealth, and President of these United States